

# CISPES AND FBI COUNTER- TERRORISM INVESTIGATIONS

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## HEARINGS BEFORE THE SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS OF THE COMMITTEE ON THE JUDICIARY HOUSE OF REPRESENTATIVES ONE HUNDREDTH CONGRESS SECOND SESSION

JUNE 13 AND SEPTEMBER 16, 1988

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## CISPES AND FBI COUNTERTERRORISM INVESTIGATIONS

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MONDAY, JUNE 13, 1988

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS,  
COMMITTEE ON THE JUDICIARY,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 1:30 p.m., in room 2237, Rayburn House Office Building, the Honorable Don Edwards (chairman of the subcommittee) presiding.

Members present: Representatives Edwards, Schroeder, Kastemeier, and Conyers.

Staff present: James X. Dempsey, assistant counsel; Alan M. Slobodin, associate minority counsel; and Catherine A. LeRoy, counsel.

The subcommittee will come to order.

Mrs. SCHROEDER. Mr. Chairman.

Mr. EDWARDS. The gentlewoman from Colorado.

Mrs. SCHROEDER. I ask unanimous consent the subcommittee permit coverage in whole or in part by television broadcast, radio broadcast or still photography in accordance with rule 5.

Mr. EDWARDS. Without objection, so ordered.

This afternoon the subcommittee examines an issue of longstanding concern: the constitutional and other limits that should apply to the FBI's investigations of domestic groups that oppose this government's foreign policy. Such cases raise issues of predication, scope and duration.

By predication, we refer to what information the FBI had at the time it opened the case. I have always said that there must be some latitude given to the FBI in deciding when to open an investigation, and the guidelines on domestic terrorism reflect this. Especially for a preliminary inquiry, the threshold is very low.

By scope, we refer to the focus of an investigation: who or what is under scrutiny and how broadly the FBI may extend its inquiry. To say that the predication for opening an investigation was adequate says nothing about the scope of the case.

The most reliable protection as to scope is the criminal standard. If the FBI is investigating criminal activity and seeking evidence on which to base a prosecution, then the criminal statutes serve to define the scope of the investigation.

However, many Americans would be surprised to learn that the FBI does not have to focus on criminal activity when it is dealing with international terrorism. If a domestic group is alleged to be supportive of a foreign group that has been labeled terrorist, then

the domestic group is subject to investigation on that basis alone. The lack of a criminal standard can leave agents wondering what they can monitor and what is off limits.

This past January, the release under the Freedom of Information Act of FBI documents regarding the CISPES case brought renewed attention to these issues. The Director of the FBI has on his desk an internal audit of the CISPES case and he will be testifying before us when he has completed his review.

To aid us in outlining the issues and setting the stage for the Director's report, we have called on four witnesses with expertise in these matters, and we look forward to their testimony.

[The witnesses were sworn.]

Mr. EDWARDS. Our first witness is Morton Halperin, Director of the ACLU's Washington office. He is accompanied by Gary Stern of the Center for National Security Studies. I believe I will introduce each witness as they testify.

**TESTIMONY OF MORTON HALPERIN, DIRECTOR, WASHINGTON  
OFFICE, AMERICAN CIVIL LIBERTIES UNION, ACCOMPANIED  
BY GARY M. STERN, CENTER FOR NATIONAL SECURITY  
STUDIES**

Mr. EDWARDS. Mr. Halperin, do you want to proceed, please?

Mr. HALPERIN. Thank you very much. We very much appreciate this opportunity to appear here. I want to take this opportunity to once again express our appreciation for your leadership not only on this issue, but civil liberties issues in general.

Mr. EDWARDS. Mr. Halperin, forgive me. Does the gentlewoman from Colorado have a statement?

Mrs. SCHROEDER. That is fine, Mr. Chairman. I want to compliment you for having these hearings and staying on this issue.

Mr. EDWARDS. Thank you, Mrs. Schroeder.

Mr. HALPERIN. We believe that the FBI's CISPES investigation clearly demonstrates the inadequacies of the FBI's guidelines for conducting international terrorism investigations directed against Americans. The CISPES investigation demonstrates that the current FBI guidelines have failed to protect Americans from improper government surveillance. For 27 months, the FBI conducted surveillance of a nationwide political organization on a scale not seen since the 1960s and early 1970s, when civil rights and antiwar organizations were targets of FBI domestic spying.

In looking through these files one could not help but be reminded of at least some aspects of those past investigations, the kinds of investigations that we thought were behind us, and that we thought the Bureau had repudiated some time ago.

As you know, Mr. Chairman, there were proposals from the Church Committee and the House Intelligence Committee to enact legislative charters for the FBI and for intelligence agencies in general, and that simply was not done, and therefore, we have been forced to rely on guidelines that were issued by a series of Attorneys General that were meant to avoid the abuses of the past.

I think it is now clear, as we and many others argued at the time, that guidelines could not be sufficient. They could not be sufficient because inevitably they would be drawn in a way that would

leave loopholes and because they could be changed. As you recall, they were at the beginning of this Administration, to give more latitude to the Bureau in conducting such investigations.

We believe the record shows, and as you know, we have now done a careful report of the record, that there was a wide-ranging, undefined, and in many ways, improperly supervised investigation, which infringed on constitutional rights. We have looked, as you suggested, both at the initiation of the investigation and at the conduct of the investigation.

As far as the initiation is concerned, I think our conclusion, while tentative, given that the Bureau has still not released the critical documents which specify the information they had at this point, our conclusion is that the start of the investigation may not have violated the FBI's guidelines, but from that we conclude not that the initiation was proper, but that the guidelines are not proper, because we think it is inappropriate for the Bureau to have the authority to launch a wide-ranging investigation of this kind of a political organization on the evidence, even treating it in the best light favorable to the Bureau, that it had at the time. That, in our view, strengthens the case for a legislative predicate and one which is tighter than the existing guidelines.

When you come to the investigation itself, the report which we released today, prepared by Mr. Stern, I think demonstrates very clearly that the guidelines were, in fact, violated, that the Bureau engaged in a wide-ranging investigation of a domestic political organization, and that it gathered information about the lawful political activity of that organization, and that it did so without really paying attention to the question of what it was learning and whether what it was learning related at all to what it was investigating.

I think we need to keep in mind that the purpose of the investigation ostensibly was to find out whether CISPES was providing support for international terrorism in El Salvador, and presumably secondarily, whether at the direction of some political group in El Salvador was engaging in terrorist activity in the United States.

But if you look through the pages and pages of the files, there just is no information gathered on that subject. Rather, what the Bureau agents did was to go to public meetings as if CISPES was being used as a cover for terrorism, somebody would stand up in a public meeting, to which anyone could go, and detail the terrorist activities that the organization was planning to engage in, or the illegal support that they were giving to a terrorist group in El Salvador.

Clearly if something like that was going on, it could not have been discovered by attending public meetings and listening to public speeches, nor was there any purpose related to that in recording attendance at the public meetings, or listing the other organizations that were associated with CISPES at various meetings. Yet, all of that information is in fact in the record.

Our view is the same as it was when we testified before this committee and other committees at the time when these issues first developed, and again at the beginning of the Reagan Administration—that there needs to be a legislative charter and a comprehensive legislative charter, for the FBI and the intelligence agencies.

We would urge you to consider in the interim, since that project will take some time, and inevitably will take the cooperation of the Justice Department—which I doubt you will have in the next eight months at least—that you consider enacting a more limited statute, one that focuses on the specific question of the predication for and the conduct of investigations involving groups that are engaged in lawful political activity and which may also be engaged in terrorist activities.

We suggest in more detail in our testimony, and I would ask the full statement, as well as our report, be made part of the record.

Mr. EDWARDS. Without objection, the full statement and report will be made part of the record.

Mr. HALPERIN. What we suggest is the distinction between an international terrorist organization and a domestic terrorist organization is not helpful for these purposes, and that the Congress ought to enact a single standard for investigating organizations operating in the United States, whether they are believed to be controlled from abroad or not, and that that standard require a criminal predicate, the belief that the organization is engaged in criminal activity, and then that the investigation be supervised in a way that ensures that there will not again be the gathering of this kind of information.

I think one does have to say that some things have improved. I don't want to end before acknowledging that as far as we know, there was no attempt to manipulate political activity, that this investigation, at least in the documents that have been released so far, shows that the Bureau limited itself to gathering information rather than seeking to disrupt the organization. If that turns out to be true, that is certainly a major step forward from the sixties.

Secondly, that there was at least from time to time review of this by the Justice Department and the investigation was again apparently terminated as a result of the internal Justice Department investigation. That is again a step forward.

But we think those few steps are very modest as compared to the serious implications for the First Amendment of these kinds of investigations.

I want to once again commend you for holding these hearings and urge you to move forward with legislation in this area.

Thank you.

[The statement of Mr. Halperin and the report of the Center for National Security Studies follow:]

PREPARED TESTIMONY  
AND  
STATEMENT FOR THE RECORD  
OF  
MORTON H. HALPERIN  
DIRECTOR  
WASHINGTON OFFICE, AMERICAN CIVIL LIBERTIES UNION  
AND  
GARY M. STERN  
RESEARCH ASSOCIATE  
CENTER FOR NATIONAL SECURITY STUDIES  
ON  
THE FBI'S CISPES INVESTIGATION  
BEFORE THE  
SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS  
OF THE  
HOUSE JUDICIARY COMMITTEE

JUNE 13, 1988

Mr. Chairman,

We very much appreciate this opportunity to testify on behalf of the American Civil Liberties Union on the FBI's investigation of the Committee in Solidarity with the People of El Salvador (CISPES). The ACLU is a non-partisan organization of over 250,000 members dedicated to the defense and enhancement of civil liberties guaranteed by the Bill of Rights.

The FBI's CISPES investigation vividly demonstrates the inadequacy of the FBI's guidelines for conducting international terrorism investigations directed at Americans. The CISPES investigation demonstrates that the current FBI guidelines have failed to protect Americans from improper government surveillance. For twenty-seven months, the FBI conducted surveillance of a nationwide political organization on a scale not seen since the 1960's and early 1970's, when civil rights and anti-war organizations were targets of FBI domestic spying.

The files released through the Freedom of Information Act show that the FBI investigation was reminiscent in some respects of earlier FBI activities that had been exposed and repudiated more than a decade ago. The post-Watergate investigation by the Church Committee in 1976 revealed the extensive damage done to individuals and political groups by the FBI's political intelligence and counterintelligence (COINTELPRO) activities. The committee conclusion bears repeating:

Too many people have been spied upon by too many

government agencies and too much information has been collected. The Government has often undertaken the secret surveillance of citizens on the basis of their political beliefs, even when those beliefs posed no threat of violence or illegal acts on behalf of a hostile foreign power. . . . Groups and individuals have been harassed and disrupted because of their political views and their lifestyles.

The subsequent legislative efforts to reform and control FBI conduct based on the Church Committee's 1976 recommendations, however, were not successful. That failure left the door open for a return to past practices that should have been, and should now be, permanently prohibited.

Though legislative reforms were not enacted at that time, the Attorney General has issued guidelines to ensure that it did not repeat the abuses associated with past investigations. Those guidelines were clearly not sufficient to achieve their stated goals. They failed to keep the Bureau's investigation of CISPES within prescribed bounds. The FBI involved itself in monitoring on a nationwide scale the "political activities involving First Amendment Rights" of a political organization comprised of dozens of chapters and thousands of members. As an investigation that targeted a domestic political activist organization under the international terrorism guidelines for well over two years, the record shows that it was relatively wide-ranging, undefined,

unsupervised, and infringed on constitutionally protected rights.

The CISPES files indicate that the FBI never squared its goals with its methods. Even presuming the facts at the time most favorable to the Bureau, widescale monitoring of public events served no apparent purpose toward achieving the FBI's stated objective under the FCI investigation, which was to determine whether CISPES was "knowingly aiding and abetting terrorists in the conduct of international terroristic activities" by operating as a front group to hide its alleged covert activities. A front organization, it is worth noting, is not going to reveal its hidden agenda in its public activities. If the FBI's goal was to determine whether or not the alleged clandestine support existed, the investigation should have been narrow and precise, focused exclusively on those persons actually suspected of illegal activity.

Today the ACLU is releasing a Report, prepared by Gary Stern of its Center for National Security Studies, that analyzes the CISPES investigation based on the publicly released information. This report first considers whether the FBI had sufficient justification to initiate an investigation of CISPES as an international terrorist organization. An analysis of the CISPES files suggests that the basis (or "predicate") for doing so was extremely weak. However, because the FBI's operating guidelines allow investigations to proceed upon extremely vague foundations, the FBI may have had sufficient basis to conduct an initial, limited investigation under its own guidelines. If that is the



case, it indicates that the guidelines do not confine the FBI within constitutionally appropriate restraints.

The Report then focusses on the conduct and scope of the investigation once it got under way. It examines the instructions from FBI headquarters to its field offices and evaluate the agency's decision to continue a "broad" investigation even though it found no evidence of links to terrorist activities. It also reviews the limited supervision of the field investigation by headquarters, which gave lip service to the need to respect the First Amendment but did not rein in various field offices who reported activities that appeared to violate its instructions.

The preliminary analysis reveals that some of the worst excesses of the past have been avoided in this case: for instance, at least according to the documents released thus far, no preventive or disruptive action was taken against CISPES (although some may have been contemplated<sup>1/</sup>). The investigators appear to have limited their efforts to collecting information and monitoring political activity. Furthermore, the new procedure requiring annual review by the Justice Department, as delayed as it was, did finally result in the investigation's termination. Without such a review, CISPES could conceivably still be under

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<sup>1/</sup> For example, one memo from the New Orleans field office reads: "It is imperative at this time to formulate some plan of attack against CISPES and specifically, against individuals, [names are deleted] who defiantly display their contempt for the U.S. government by making speeches and propagandizing their cause while asking for political asylum." CISPES-HQ, 199-8848-128X (Nov. 10, 1983).

surveillance. Nonetheless, now, as in the earlier incidents, purely political activity became the subject of an extensive investigation by the FBI.

Finally, this report offers proposals for legislative reform to curtail the use of intelligence or terrorism investigations against political organizations. The ACLU believes that all investigations of political organizations should be based on public, codified guidelines and should include frequent review to ensure that they stay within the prescribed bounds. The ACLU also believes that the present guidelines for intelligence and terrorism investigations should be incorporated into a comprehensive FBI charter.

Even without a comprehensive charter, the ACLU believes that one publicly enunciated standard should apply for all criminal intelligence investigations that may involve the collection of information about the exercise of First Amendment rights relating to acts occurring or originating in the United States, including terrorism.<sup>2/</sup> As the CISPES case demonstrates, separate standards allow the FBI to investigate all the activities of U.S. political groups when just a small number of members are only suspected of illegal action. The indication of a foreign connection should not diminish the rights and protection normally afforded to Americans who are suspected of politically motivated criminal

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<sup>2/</sup> The exception is for groups whose sole purpose is criminal activity, such as the Mafia, regardless of what it called itself. The FBI acknowledged, however, that CISPES was for the most part engaged in legitimate First Amendment activity.

activity.

The mere collection of publicly available information can have a significant adverse effect--a "chilling effect"--on people's exercise of their constitutional rights. The fear of possible government surveillance can chill people from participating in certain activities. It is impossible to know how, or even if, the information collected may come back to haunt someone who has done absolutely nothing wrong. But experience has shown, as documented by the Church Committee, that in cases involving the intelligence surveillance of political organizations, the potential for abuse tends to outweigh the benefit of the information.

The CISPES investigation demonstrates a failure to ensure that this balance does not fall against the private individual or group. Yet, as the Church Committee experienced, it is very difficult to "draw the fine line between legitimate investigations of conduct and illegitimate investigations of advocacy and association." But given the Bureau's history of pursuing its investigative objectives with minimal efforts to protect the constitutional rights of the people it is investigating, we urge Congress to insist on stronger measures to protect against improper and unnecessary investigations.

The ACLU recommends the enactment of a statute that authorizes "criminal intelligence investigations" only where two or more persons are engaged in a pattern of activities for the purpose of furthering political or social goals wholly or in part

through activities that involve force or violence and a violation of the federal criminal law. These investigations must be conducted according to public guidelines that should apply even when the persons are suspected to be agents of a foreign power or involved in "international terrorism."

These investigations must be reviewed every ninety days to ensure that there is a continuing basis for investigation and that procedures for minimizing the intrusiveness of techniques employed and information collected are effective and being followed by agents conducting the investigation. This provision ensures continued Attorney General participation and supervision over all sensitive investigations.

Additionally, although this does not appear to have occurred in the CISPES investigation, the FBI should not be able to infiltrate someone into a leadership or decision making capacity without disclosing that person's identity to the appropriate official of the organization. Such infiltration invariably distorts and undermines the political objectives of the groups under investigation. The FBI should not be directing any person in such a position to continue to act on the Bureau's behalf.

The CISPES investigation has exposed a serious deficiency in the FBI's investigative authority. The current FBI guidelines accommodate the demands of law enforcement without fully protecting the lawful exercise of our constitutional rights. Left to its own devices, the FBI, like any other investigative agency, frequently tends to focus singlemindedly on its own

narrow goals while forsaking the protected liberties of its targets. As the Church Committee Report commented: "The natural tendency of Government is toward abuse of power. Men entrusted with power, even those aware of its dangers, tend, particularly when pressured, to slight liberty." Given this tendency and the dangerous cost of its fulfillment, it is essential that Congress enact legislation to secure, to the highest degree possible, our rights and liberties against the threat of government abuse of power.



The Center for  
National Security Studies

# **THE FBI'S MISGUIDED PROBE OF CISPES**

by Gary M. Stern

CNSS Report No. 111  
June 1988

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## Introduction

The FBI officially began its counterterrorism investigation of the Committee in Solidarity with the People of El Salvador (CISPES) on March 30, 1983.<sup>1/</sup> On that day, the FBI Headquarters in Washington authorized eleven field offices to begin probing

the involvement of individuals and the CISPES organization in international terrorism as it affects the El Salvadoran government, and [authorized] the collection of foreign intelligence and counterintelligence information as it relates to the international terrorism aspects of this investigation.<sup>2/</sup>

For the next twenty-seven months, the FBI conducted surveillance of this nationwide political organization on a scale not seen since the 1960's and early 1970's, when civil rights and anti-war organizations were targets of FBI domestic spying.

The full extent of the investigation began to come to light in January 1988 when the FBI released portions of its files on the case in response to a Freedom of Information Act (FOIA) lawsuit brought by the Center for Constitutional Rights on behalf of CISPES. Prior to that time, evidence of the probe had surfaced in a suit for back pay by the FBI's key CISPES informant and in a congressional hearing. The files released through the FOIA show that the FBI investigation was reminiscent in some respects of earlier FBI activities that had been exposed and repudiated more than a decade ago.<sup>3/</sup>

The post-Watergate investigation by the Church Committee in 1976 revealed the extensive damage done to individuals and political groups by the FBI's political

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1. There had been an earlier criminal investigation under the Foreign Agents Registration Act. See infra p.4.

2. FBI Headquarters File, CISPES, File Number 199-8848-1 (March 30, 1983), at p.6 [hereinafter CISPES-HQ, # (date)].

3. These public documents constitute barely one-third of the total Headquarters file and are riddled with many deletions (known in the trade as "redactions"). Consequently, this report pieces together information from other FBI sources-- public statements, testimony, and reports by FBI officials--in order to assemble the most complete picture of the investigation possible from public sources.



## 2 *The FBI's Misguided Probe of CISPES*

intelligence and counterintelligence (COINTELPRO) activities. The committee concluded that:

Too many people have been spied upon by too many government agencies and too much information has been collected. The Government has often undertaken the secret surveillance of citizens on the basis of their political beliefs, even when those beliefs posed no threat of violence or illegal acts on behalf of a hostile foreign power. . . . Groups and individuals have been harassed and disrupted because of their political views and their lifestyles.<sup>4/</sup>

The subsequent legislative efforts to reform and control FBI conduct based on the Church Committee's 1976 recommendations, however, were not successful. That failure left the door open for a return to past practices that should have been, and should now be, permanently prohibited.

Though legislative reforms were not enacted at that time, the FBI has adopted guidelines to ensure that it did not repeat the abuses associated with past investigations. Were those guidelines sufficient to achieve their stated goals? Did they succeed in this case in keeping the CISPES investigation within prescribed bounds? The balance of this report seeks to answer these questions.

Our preliminary analysis reveals that some of the worst excesses of the past have been avoided in this case: for instance, no preventive or disruptive action was taken against CISPES (although some may have been contemplated<sup>5/</sup>). The investigators appear to have limited their efforts to collecting information and monitoring political activity. Furthermore, the new procedure requiring annual review by the Justice Department, as delayed as it was, did finally result in the investigation's termination. Without such a review, CISPES could conceivably still be under surveillance. Nonetheless, now, as in the earlier incidents, purely political activity became the subject of an extensive investigation by the FBI.

This report focusses on two distinct questions arising from the CISPES investigation. Chapter 1 asks whether the FBI had sufficient justification to initiate an

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4. Select Committee to Study Governmental Operations with respect to Intelligence Activities, U.S. Senate, "Book II, Intelligence Activities and the Rights of Americans" (94th Cong., 2d Sess., Rep. No. 94-755), at 5 [hereinafter Church Committee Report, Book II].

5. For example, one memo from the New Orleans field office reads: "It is imperative at this time to formulate some plan of attack against CISPES and specifically, against individuals [names are deleted] who defiantly display their contempt for the U.S. government by making speeches and propagandizing their cause while asking for political asylum." CISPES-HQ, 199-8848-128X (Nov. 10, 1983).

investigation of CISPES as an international terrorist organization. An analysis of the CISPES files suggests that the basis (or "predicate") for doing so was extremely weak. However, because the FBI's operating guidelines allow investigations to proceed upon extremely vague foundations, the FBI may have had sufficient basis to conduct an initial, limited investigation under its own guidelines. If that is the case, it indicates that the guidelines do not confine the FBI within constitutionally appropriate restraints. (For a discussion of the need for more stringent guidelines or a charter for the FBI, see chapter 4.)

The second question concerns the conduct and scope of the investigation once it got under way. Chapter 2 examines the instructions from FBI headquarters to its field offices and evaluates the agency's decision to continue a "broad" investigation even though it found no link to terrorist activities. Chapter 3 reviews the limited supervision of the field investigation by headquarters, which gave lip service to the need to respect the First Amendment but did not rein in various field offices who reported activities that appeared to violate its instructions.

Finally, this report offers proposals for legislative reform (chapter 4) to curtail the use of intelligence or terrorism investigations against political organizations. The ACLU believes that all investigations of political organizations should be based on public, codified guidelines and should include frequent review to ensure that they stay within the prescribed bounds. The ACLU also believes that the present guidelines for intelligence and terrorism investigations should be replaced with a general FBI charter.

**CHAPTER 1****Was the FBI Justified in  
Targeting CISPES as a Terrorist Group?**

By its own admission, CISPES is an organization that "supports" the "opposition movement in El Salvador [the Democratic Revolutionary Front {FDR} and the Farabundo Marti Front for National Liberation {FMLN}] . . . [and] attempts to educate the U.S. public regarding the situation in El Salvador, particularly the legitimacy of the broad opposition movement represented by the FDR."<sup>6/</sup> These activities placed CISPES in direct opposition to the Reagan Administration, which had made El Salvador the focus of its Central America policy to prevent the success of any "communist" revolutionary movements. The Administration also determined that the FMLN, which CISPES "supported," was a terrorist organization. Throughout the FBI files in this case there are indications that the FBI continued to target CISPES because of its legitimate exercise of free speech in opposition to the policies of the Reagan Administration.

**A. The First Investigation: Foreign Agency**

In September 1981, the FBI opened a criminal investigation at the request of the Department of Justice to determine whether CISPES was violating the Foreign Agents Registration Act (FARA) by failing to register as an agent of a foreign entity--the FMLN. After a six-month investigation, from September 3, 1981, to February 23, 1982, the FBI concluded that "there was no specific evidence indicating CISPES was acting on behalf of, or at the direction of a foreign power or group." Consequently, the FBI officially ended its investigation of CISPES. However, the Bureau also noted that if a

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6. CISPES-HQ, 199-8848-1, at 2.

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formal link between the FMLN and CISPES could be determined in the future, it would reopen the investigation.<sup>7/</sup>

### B. The Second Investigation: Terrorism

Thirteen months after ending the FARA investigation, on March 30, 1983, the FBI began its international counterterrorism investigation of CISPES. The type of investigation is important because each is covered by a different set of guidelines. The so-called Smith Guidelines, which control all domestic security investigations, allow the FBI to target only those persons who it reasonably suspects are actually involved in criminal activity. The Foreign Counterintelligence Investigation (FCI) Guidelines, which control all investigations of foreign origin, allow the Bureau to target whole groups even if it suspects only a few of its members.<sup>8/</sup> Furthermore, the FCI Guidelines as a whole, by raising the specter of "national security," have a looser predicate standard for initiating investigations.

The initial foundation for labelling CISPES a "terrorist" group was a statement in one of CISPES's own publications that it "provides international *support* for the opposition movement in El Salvador."<sup>9/</sup> On top of this shaky, ambiguous base, the bureau placed its next building blocks--two source reports. The first came from an FBI informant, Frank Varelli, whose veracity the FBI has subsequently sought to challenge and discredit.<sup>10/</sup> Varelli reported that CISPES's self-proclaimed "support" for the FMLN included not only money, food, clothing, medical and school supplies to Salvadoran war

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7. U.S. Department of Justice, Federal Bureau of Investigation, "An Interim Public Report on the Committee in Solidarity with the People of El Salvador (CISPES)" (FBI, Criminal Investigative Division, Counterterrorism Section, February 22, 1988), at 4 [hereinafter "Interim Report"].

8. For a fuller discussion of the FBI guidelines, see infra p.25.

9. CISPES-HQ, 199-8848-1, at 3 (emphasis added).

10. Executive Assistant FBI Director Oliver B. Revell conceded in testimony before a joint hearing of the Senate Intelligence and Judiciary committees that Varelli provided "misinformation and disinformation . . . that had misdirected the investigation." Washington Times, Feb. 24, 1988, at A4. Revell testified further that while "[s]ome of his information was found to be correct, some was found to be blatantly false, and some of it he concocted in his own mind" which resulted "in the investigation being misled in some material aspects." Id.

victims but also covert funding of military aid, "forwarded through Mexico for ultimate use by the guerrilla forces in El Salvador."<sup>11/</sup>

The second source, who has not been identified (and could be either an FBI agent used for a counterintelligence investigation into the FMLN or a CIA source in El Salvador<sup>12/</sup>), supplied information linking the FDR and FMLN to alleged terrorist activities in the U.S. As the FBI stated in a report:

In 1983, a source reported that individuals in contact with the FDR and FMLN were planning to establish clandestine cells in the US for political, ideological, and military support, as well as for intelligence activities. The military cells allegedly would commit killings, sabotage, and other illegal acts such as bank robberies. In addition, this source indicated that one proposed cell, to which the source was to belong was to coordinate its activity with already established cells.<sup>13/</sup>

Though this source had not linked the alleged FDR and FMLN "clandestine cells" to CISPES, the FBI coupled this information with the information received from Varelli and concluded:

Therefore, the acknowledgement of CISPES in their literature that they were acting in support of the FDR, an organization reported to be in the process of establishing a network of clandestine cells, was significant when evaluated in the light of the CISPES connection to the FMLN and FDR.<sup>14/</sup>

Based on these two reports, the FBI was able to formulate its predicate for opening its counterterrorism investigation into CISPES:

This investigation was predicated primarily upon information furnished by Mr. Varelli that the activities of CISPES were being directed by the FDR and FMLN, giving reason to believe that certain members of CISPES were or may have been engaged in international terrorism, or activities in preparation for terrorism, or

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11. Interim Report, *supra* note 7, at 3.

12. The issue of third agency involvement (CIA, NSC, State Department) in the CISPES investigation is still unclear. The Interim Report stated that "[a] review of the FBI Headquarters CISPES file, as well as contact with appropriate supervisory personnel, revealed that there were no indications of direction, instructions, or inquiries received or solicited from the White House concerning this investigation." But that does not absolve the CIA and the State Department. Source information from El Salvador and other areas of Central America would likely have come from the CIA. Philip Mabray, a former CIA contract agent and member of Oliver North's private Contra aid network, asserted that North "directed [him and other members] to investigate opponents of Reagan administration Central American policies. . . . 'Ollie told me that if the FBI received letters from five or six unrelated sources all requesting an investigation of the same groups, that would give the Bureau a mandate to go ahead and investigate.'" R. Gelbspan, "Texan Says North Set FBI on Foes of Administration," *Boston Globe*, Feb. 29, 1988, at 3.

13. Interim Report, *supra* note 7, at 3.

14. *Id.*

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knowingly aiding or abetting those engaging in terrorist activities, specifically the FMLN.<sup>15/</sup>

### C. Was the FBI's "Terrorism" Investigation Justified?

The allegation that CISPES covertly supplied military aid to a foreign political group should normally have been investigated as a criminal violation of the neutrality laws. But since the recipient of the alleged aid--the FMLN--was deemed to be a "terrorist" organization, the FCI Guidelines became the applicable standard. Under those guidelines, the FBI claims it has broad latitude to initiate an investigation into alleged "terrorist" activities.

Even under the current FCI standards, though, the ACLU believes that no basis existed for investigating CISPES as a terrorist organization. All that the FBI had were allegations of an indirect link between CISPES and those persons suspected of terrorist activity. The FBI appears to have had no information indicating that any individuals within CISPES might be engaged in terrorist activities. Its only basis for implicating CISPES or any of its members in terrorist activities that were to be carried out by the clandestine cells is the claim that CISPES was supporting the FMLN. Yet, the FBI, in its earlier investigation under the Foreign Agents Registration Act, was unable to show that CISPES was acting as an agent or under the direction or control of the FMLN.<sup>16/</sup>

### D. The FBI Targeted Dissent Not Terrorism

The FBI was fully aware, from the moment it began its investigation, that the great majority of those members were "unaware of and d[id] not support violence or criminal

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15. *Id.* at 4.

16. Perhaps, as Varelli publicly claims, while the FARA investigation was closed, other investigative activity against CISPES continued. In a telephone interview with a *Boston Globe* reporter, Varelli asserts that his "case agent, Daniel Flanagan . . . and others told him the investigation would continue to operate, but with a lower visibility," notwithstanding the fact that Flanagan "showed him a teletype from Headquarters indicating that the Justice Department had ordered the [FARA] investigation closed." R. Gelbspan, "Informer denies deceiving FBI during 5-year probe of CISPES," *Boston Globe*, March 4, 1988, at A7.

violations."<sup>17/</sup> But interspersed throughout the CISPES files one finds FBI officials portraying CISPES's lawful political activities in a frame of disloyalty and anti-Americanism. Unable to affix any specific instances of misconduct to CISPES or its members, the field reports that were sent back to Headquarters, when they did more than report the absence of anything suspicious, relied on distortion and guilt by association in order to justify the effort of the investigation.

These documents reveal how these field offices considered CISPES to be a completely illegitimate organization (even though Headquarters instructions said otherwise), thus making anything CISPES did immediately suspicious. The FBI is certainly not the only government agency to interpret any hesitation or refusal to cooperate as an indication of possible misconduct and a basis for further investigation. But in an intelligence investigation of political activity, it is all too easy, and much too dangerous, to attribute greater meaning to such behavior.

The Bureau's history in this kind of practice alone makes many persons who oppose government policy suspicious and on their guard to possible investigation. This creates a vicious cycle effect when the Bureau treats such suspicion, in conjunction with one's opposition or minority views, as worthy grounds for continued investigation. Thus, while it may be true that some persons feel that being targeted by a government investigation is a sign of their political effectiveness against government policy, that fact can serve no basis for assuming they are engaged in illegal conduct.

Congressman Don Edwards (D-Calif.) chastised the Bureau for this practice, noting that "not one criminal act was expressly charged to CISPES, yet through innuendo and guilt by association, CISPES was prosecuted, tried, and found guilty of subversion."<sup>18/</sup> Edwards cited several examples:

CISPES was alleged to be "involved in the distribution" of a Soviet-forged document to the media, yet there was no indication--and when pressed, Mr. Revell could offer none--that CISPES knew the document was forged. . . .

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17. CISPES-HQ, 199-8848-543 (October 17, 1984), at 6. See also CISPES-HQ, 199-8848-1 (March 30, 1983) at 5-6: "It should be noted that many of the members of CISPES and/or its subgroups may not be aware that their fund-raising activities, the subsequent funds, and other support which they furnish to CISPES is directed by CISPES officials to support the terrorist activities of the El Salvadoran leftist terrorists."

18. Congressional Record, H707 (March 3, 1988, daily edition).

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Guilt by ideological association was stretched to the breaking point when the FBI suggested a link between CISPES and two bombings in Washington: one that took place at "about the same time" a CISPES rally was held in Washington and one that was actually claimed by another group espousing positions "similar to those of CISPES"....

The FBI report states that an informant reported that a CISPES member in Dallas had been tasked to make maps of government buildings and to time the response times of "public safety vehicles," which the report stated "may well be consistent with the activities of terrorists preparing an act of violence."

Another example of guilt by association is found on page 6 of the FBI report which states that "a CISPES chapter in the Midwest received communications from the United Freedom Front, a left wing domestic terrorist organization," again suggesting some sinister connection without stating whether the communications were solicited or not and whether the CISPES chapter responded or not.

The Interim Report summed up the Bureau's handling of the investigation as follows: "It is evident from . . . instructions communicated to FBI field offices that the scope of the investigation was to be limited. Furthermore, instructions enunciated by FBI Headquarters cautioned that the investigation should avoid infringing upon any person's Constitutional guarantees."<sup>19/</sup> While this statement speaks to a noble purpose, it belies the actual effect of the FBI's CISPES investigation.

On June 18, 1985, a five-page notice went out from "Director, FBI" to 59 field offices instructing them to close their investigations of CISPES due to the fact that "on the basis of information made available to the Department of Justice it appeared that CISPES was involved in political activities involving First Amendment rights and not international terrorism."<sup>20/</sup> It took the FBI twenty-seven months to reach this conclusion, and then only after previously concluding a six month investigation to the same effect. In the meantime, the FBI involved itself in monitoring on a nationwide scale the "political activities involving First Amendment rights" of a vast political

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19. Interim Report, *supra* note 7, at 9.

20. Quoted from "Statement for Director William S. Sessions" (press statement dated Feb. 2, 1988) at 3 [hereinafter "Sessions Statement"]. The file document, CISPES-HQ, 199-8848-671 (June 18, 1985), is still largely classified and is thus heavily redacted.



organization comprised of dozens of chapters and thousands of members. As an investigation that targeted a domestic political activist organization under the international terrorism guidelines for well over two years, the record shows it was relatively wide-ranging, undefined, unsupervised, and infringed on constitutionally protected rights.

## CHAPTER 2

## Should the FBI's Investigation of CISPES Have Been So Broad?

The FBI publicly stresses that the "extent of the FBI investigation was *narrow* in focus and was limited to . . . leaders and key members [of CISPES]."<sup>21/</sup> But the evidence of the files reveals that the field agents pursued a much broader range of persons.<sup>22/</sup> Indeed, Oliver Revell, the FBI official who oversaw the investigation from Headquarters, conceded this point in a press conference: the investigation, he said, was "not specific as to individuals but as to the purpose of the organization. . . . So it had to be broad and it narrowed as it proceeded."<sup>23/</sup>

By admitting that the investigation "had to be broad," Revell in one sentence has essentially attested to what went wrong with the Bureau's handling of the whole affair. The investigation became so broad because the predicate was so vague--a mere allegation of a possibly foreign-influenced group contemplating the "support" of as yet undetermined criminal activity. A broad investigation meant that the FBI undertook to locate every CISPES chapter and coalition member in the country and peruse its membership to find out the leaders and key members. There is simply no way to conduct this kind of investigation "narrowly." Rather, the investigation went forth on a massive scale.

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21. Sessions' statement, supra note 20, at 1 (emphasis added).

22. The initial instructions did, admittedly, warn field agents that "this investigation is not concerned with the exercise of rights guaranteed by the United States Constitution," that "it is incumbent that this investigation be closely coordinated with FBIHQ," and that "[b]ased on the sensitivity of this investigation, recipients [i.e. field offices] should ensure that agents handling this investigation are thoroughly familiar with the Attorney General guidelines for foreign counterintelligence as they apply to international terrorism investigations." CISPES-HQ, 199-8848-1 (March 30, 1983) at 7-8. But the investigation then proceeded with little, if any, adherence to any of these concerns by either the field or Headquarters.

23. "Director Sessions' Meeting with National Press Regulars" (February 2, 1988), at 34-35 (statement of Oliver B. Revell) (emphasis added) [hereinafter "Sessions Press Conference"]. While it may have begun narrowly--only eleven field offices received the initial March 30, 1983, instructions--by July 25, 1983, it quickly expanded to 25 field offices and, on October 28, all 59 field offices were included.

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A few examples show just how wide a net the FBI was willing to cast:

\* Just nine days after the investigation officially began, the San Juan field office offered to check out all Salvadorans living in Puerto Rico.<sup>24/</sup> While Headquarters responded with a caution that "[c]ertainly not all Salvadorans are connected with Salvadoran leftist activities," it allowed that "if San Juan still believes this investigative avenue should be attempted, [it should] forward a new request to FBIHQ substantiating the benefits of this endeavor and the expected results."<sup>25/</sup>

\* In May 1983, the Los Angeles field office relayed an airtel [FBI memoranda] to Headquarters and eleven other field offices describing a CISPES sponsored demonstration 'hat "consisted of approximately 35-50 people and took place with no incidents reported. . . . [A]mong the various signs and slogans displayed by some of the participants was one that read 'Victory to FMLN'."<sup>26/</sup> Los Angeles submitted this information "to alert receiving offices of possible similar activity within their respective divisions."<sup>27/</sup>

\* The Milwaukee field office reported that, "The CISPES office in Milwaukee is located in the office of the mobilization for survival (MOBE), which can be characterized as an umbrella group encompassing a wide angle of 'anti' causes, including anti-nuclear and so-called 'peace' groups."<sup>28/</sup> The report continued: "attempts to contact members were immediately met by requests to 'see a warrant' or referring the agents to the group's attorneys. In other words, CISPES anticipated FBI investigation. It is also noted that the group's attorneys include long time National Lawyer's Guild member[s]."<sup>29/</sup>

By April 1984, the FBI had compiled "information regarding CISPES demonstrations, picket lines, protests, boycotts, or other similar activities, which number in the hundreds"<sup>30/</sup> and a detailed list of all known CISPES chapters and leaders (in 34 of 59 cities surveyed) and all working telephone numbers.

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24. CISPES-HQ, 199-8848-10 (April 8, 1983).

25. CISPES-HQ, 199-8848-11 (April 18, 1983). Two weeks later, San Juan responded that it "concurs with the Bureau's opinion" and that it had no intention of indexing the names of El Salvadorans; it "simply is desirous of determining the approximately [sic] size of the El Salvadoran community" in order "to provide assistance to this Division in its efforts to identify, grasp if you will, the extent of El Salvadoran presence in Puerto Rico and the U.S. Virgin Islands." CISPES-HQ, 199-8848-16 (May 5, 1983). On June 23, San Juan forwarded to headquarters photographs that were "provided to the Dallas Division for use in captioned investigation." CISPES-HQ, 199-8848-35 (June 29, 1983).

26. CISPES-HQ, 199-8848-21 (May 24, 1983) at 1-2.

27. *Id.*

28. CISPES-HQ, 199-8848-458 (August \_\_\_\_, 1988) at 1-2 [date obscured].

29. *Id.* at 2.

30. *See* CISPES-HQ, 199-8848-300X (April 2, 1984) at 17.

The Bureau also had a "List of groups, organizations connected with CISPES or mentioned in relation to CISPES activities," with 138 groups named. Though the FBI claims that it did not expand its investigation to include those other organizations listed in the CISPES files,<sup>31/</sup> Director Sessions testified that: "CISPES *members* were in contact with large numbers of people who were affiliated with numerous organizations. Limited investigation was conducted to follow-up information that was not complete. The focus remained on CISPES, not the other organizations, and was *to round out, or develop information on the scope of activities and influence of CISPES.*"<sup>32/</sup> Sessions' reference to "CISPES members," however, suggests that the Bureau targeted more than just the "leaders and key members." An investigation looking to "round out" information on the activities and influence of a large, national organization clearly engaged in protected political activities portends a broad focus beyond the limits of the guidelines.

Having collected all of this information about CISPES's public activities, the FBI still appears to have had no information showing that CISPES or any of its members were supplying covert military assistance to the FMLN or engaging in any other type of terrorist activity. In fact, an ever growing number of field office reports indicated either no CISPES activity of any kind in the region or no activity that would warrant continuing any kind of investigation. Yet, the Bureau did not narrow the focus of its investigation until it was ended much later.

The CISPES files indicate that the FBI never squared its goals with its methods. Even presuming the facts at the time most favorable to the Bureau, widescale monitoring of public events served no apparent purpose toward achieving the FBI's stated objective under the FCI investigation, which was to determine whether CISPES was "knowingly aiding and abetting terrorists in the conduct of international terroristic activities" by operating as a front group to hide its alleged covert activities. A front organization, it is worth noting, is not going to reveal its hidden agenda in its public activities. If the FBI's goal was to determine whether or not the alleged clandestine support existed, the

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31. See "Sessions Statement," supra note 20, at 2-3; Interim Report, supra note 7, at 10-11.

32. "Sessions Statement," supra note 20, at 2-3 (emphasis added).

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investigation should have been narrow and precise, focused exclusively on those persons actually suspected of illegal activity.

The FBI's predicate looks even more suspect when one compares the language of the March 30, 1983, authorizing document with the definitional standard in the FCI Guidelines. They match up nearly word for word: CISPES was targeted because it is, "or may be, engaged in international terrorism, activities in preparation therefore, or knowingly aiding and abetting the terrorists"; the FCI Guidelines require that the target be someone who "knowingly engages in international terrorism or in activities in preparation therefor, or knowingly aids or abets any person engaged in such activities." Little effort appears to have been made to correlate the suspected activity with a specific element. Given the general vagueness of the guidelines already, it is essential, especially when investigating political organizations, that they be applied and reviewed with precision and specificity, precisely in order to avoid an open-ended and uncontrolled investigation of this type.

## CHAPTER 3

**The Failure of Headquarters' Supervision**

In comments to the press and Congress, FBI Director William Sessions and the agent who oversaw the investigation, Oliver Revell, asserted that Headquarters supervision had been sufficient. Sessions, for example, testified that he would have stepped in to bring the investigation within limits had he been Director when the investigation crossed over the line into unauthorized activities: "Maybe I would have found at some point that in my view they were outside [the guidelines]. For instance, I might have found that some statement, a report coming back in to me showed an obvious lack of understanding about the nature and scope of the investigation. . . . Then I would have taken, I hope, steps to try to be sure that that was corrected and did not happen and correct instructions were given."<sup>33/</sup>

Director Sessions' comments raise the issue of how FBI Headquarters handles the coordination, guidance, and supervision of intelligence and terrorism investigations. The Interim Report cites four examples where Headquarters performed its supervisory function in responding to field reports in much the same fashion as Sessions indicated.<sup>34/</sup> But a close reading of those instances, along with numerous other times when there was no such response, leaves great doubt as to the thoroughness or effectiveness of Headquarters' actual supervisory role.

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33. "Sessions Press Conference," supra note 23, at 32. Revell also admitted that there may have been "some wavering over that line." Washington Post, February 24, 1988, at A8 (testimony before the Senate Select Committee on Intelligence).

34. Interim Report, supra note 7, at 8-9 (digest of Headquarters' guidance and instructions to field offices).

### **A. The First Example: October 28, 1983**

The first instance was a Headquarters airtel to all field offices dated October 28, 1983, "which clarified the basis for which the CISPES investigation was opened, and provided instructions to the offices to concentrate on developing information on the locations, leadership, and activities of CISPES chapters within each field offices' jurisdiction."<sup>35/</sup> It also "[r]eiterated . . . that the purpose of the investigation was not to investigate the exercise of First Amendment Rights of CISPES members. . . ."<sup>36/</sup> In fact, however, this was the very memorandum that opened up the investigation to all the field offices.

Thus, instead of reining in the investigation, Headquarters had let it loose. The instructions not to infringe on First Amendment rights were simply a recirculated copy of the original March 30, 1983, authorization memo.<sup>37/</sup> There is no indication of any narrowing of the focus of the investigation. Indeed, on November 11, 1983, the Denver field office's response to the recent Headquarters' clarification was to note "that Bureau instructions in this matter are to determine location, leadership and activities of chapters through sources, surveillance and investigation."<sup>38/</sup>

### **B. The Second Example: July 27, 1984**

The second example is perhaps the one time where Headquarters actually offered constructive guidance. A July 27, 1984, communication reads that, "it is imperative that these investigations are closely supervised and monitored to ensure our investigations do not infringe upon the rights of these individuals or groups protected by the Constitution."<sup>39/</sup> And further on it states: "Political activities or political lobbying by

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35. Interim Report, *supra* note 7, at 8.

36. *Id.*

37. CISPES-HQ, 199-8848-105 (October 28, 1983).

38. CISPES-HQ, 199-8848-128X2, at 2.

39. CISPES-HQ, 199-8848-436 (July 27, 1984) at 5.

CISPES, unless it can be shown as a violation of the Foreign Agents Registration Act, are not, repeat not, targets of this investigation and should not be monitored."<sup>40/</sup>

Since the rest of this document is redacted, it is impossible to know what other guidance and instructions were given. But, as corrective as this language may sound, if the rest of the directive affirms the vague predicate and broad scope of the investigation and fails to point out specific instances of unacceptable behavior, then this example may be nothing more than toothless wisdom, from which the field would have been no better guided than before.

In fact, just two weeks after receiving this directive from Headquarters, which warned that "political lobbying" is not a target of the investigation and should not be monitored, the Chicago field office did not seem to have gotten the message. Chicago sent back an airtel describing CISPES as a group that "organizes campaigns to *pressure* legislators to vote against covert and overt intervention in Central America."<sup>41/</sup> Chicago has characterized as "pressuring legislators" what is known simply as political lobbying. Thus, whether in ignorance of, defiance of, or connivance with Headquarters, the Chicago field office continued to engage in the surveillance of explicitly acknowledged constitutionally protected activities. Such was the effectiveness of Headquarters' best effort at internal guidance.

### C. The Third Example: October 17, 1984

The next two instances undermine as much, if not more, than they support the FBI's contention that its investigation was narrowly focused. On October 17, 1984, Headquarters sent out a memo in response to concerns from the field "as to how much seemingly legitimate political activity could be monitored."<sup>42/</sup> Rather than urging restraint, the text of the response indicates, if anything, a stepping-up of the investigation. It cites as its goals:

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40. *Id.* at 9.

41. CISPES-HQ, 199-8848-482 (August 10, 1984) at 3 (emphasis added).

42. Interim Report, *supra* note 7, at 8-9.



To identify contacts and communication links between CISPES leaders or ruling members and the Salvadoran guerrilla-terrorist organizational structure and leadership [redacted section] to locate and identify means of transmitting money, military paraphernalia from the U.S. to the Salvadoran guerrilla-terrorist organization and means of shipping propaganda into the U.S.; to obtain information concerning preparation and/or plans for future terrorist activities in the U.S.; to identify the leaders and/or key members of CISPES who are in direct contact with representatives of the Salvadoran guerrilla-terrorist organization; *penetration of local, regional and national levels of CISPES to obtain the best intelligence information regarding the other goals.*<sup>43/</sup>

This states in plain language that nothing less than maximum surveillance of every level and every contact of the organization will suffice.

The October 17, 1984, document goes on to implicate certain members of CISPES with a number of recent bombings and bomb threats:

Another CISPES member may have been involved in threatening to bomb a TACA airlines aircraft. . . . It is already noted that several bombings in the Washington, D.C. area, although probably not perpetrated or directed by the CIPES [sic], have occurred around CIPES [sic] meetings and were claimed as support for the Salvadoran guerrilla-terrorist organization. Investigation has demonstrated some contacts and/or connections between those responsible for the bombings and the CISPES.<sup>44/</sup>

A whole series of documents in the files narrate the tale of these bombings and bomb threats. On April 26, 1983, and then on August 18, 1983, bombs exploded in the Washington, DC installations of Fort McNair and the U.S. Navy Yard, respectively. Both were accompanied by statements expressing support for the FMLN and "solidarity" with various Central American political movements; the first bombing occurred during the same time that CISPES was holding a rally in Washington.

Numerous documents make reference to these bombings in connection with CISPES. They were added to the list as further bases for the investigation.<sup>45/</sup> But the Interim Report states explicitly that the Armed Resistance Unit (ARU), "a left-wing domestic

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43. CISPES-HQ, 199-8848-543 (October 17, 1984) at 4 (emphasis added).

44. *Id.* at 5-9.

45. *See, e.g.*, CISPES-HQ, 199-8848-300X (April 2, 1984); CISPES-HQ, 199-8848-543 (October 17, 1984).

terrorist group," claimed responsibility for both bombings.<sup>46/</sup> To the degree that there may have been some associations between the ARU and certain CISPES members, the FBI should have followed-up on those individuals as part of its domestic terrorism investigation of the ARU. Ironically, the FBI investigated the ARU, which was directly connected to violent activity, under the stricter Domestic Security/Terrorism (Smith) guidelines, while it investigated CISPES, connected to no violent, or even criminal, activity, under the looser (and still classified) International Terrorism (FCI) guidelines.

The October 17, 1984, communication raises questions about the FBI's handling of the CISPES investigation in still more ways. It states explicitly that the rhetoric and propaganda of CISPES (i.e., its political speech) is an important focus of the investigation: "*Certainly the propaganda and political rhetoric of the CISPES is important to our investigation regarding a possible FARA violation. It is not, however, the main or only concern of this investigation.*" The purpose of this investigation is to determine the extent of the overall international terrorist support threat and international terrorist action threat CISPES poses to the U.S. government."<sup>47/</sup> After one and one-half years the Bureau feels compelled to tell the field that political speech is not the only concern, while acknowledging that it is still a significant concern.

The most telling aspect of the October 17, 1984, communication is what it does not say. Given that this document is cited in the Interim Report as responding to the sensitive issue of monitoring "legitimate political activity in one of only four instances of guidance and instruction from Headquarters," it is revealing that in no place does it admonish as to the propriety of the questioned investigative techniques, let alone the parameters of the investigation as a whole (as was done in the July 26, 1984, communication). On the contrary, in this ten page memo Headquarters seems to condone

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46. Interim Report, *supra* note 7, at 5-6. Yet the Bureau continues, to insinuate a CISPES connection to those bombings (the Interim Report was released on February 22, 1988), as well as to other past instances of violent activity, for which no evidentiary connection has ever been established. For example, on the very same page of the October 17, 1984, document quoted above, the Bureau notes: "although most of CISPES members or supporters are unaware of and do not support violence or criminal violations, some of the key leaders and founders of the CISPES were seriously involved in the Weather Underground and have been supportive of these types of actions in the past."

However, on May 11, 1988, the FBI obtained the indictments of seven members of the ARU for all of the bombings it had previously suspected CISPES of doing. See L. Hockstader, "7 Indicted in 1983 Capitol Bombing: Members of Communist Group Face Charges in 7 Other Explosions," Washington Post, May, 12, 1988, at A1.

47. CISPES-HQ, 199-8848-543 (October 17, 1984) at 10 (emphasis added).

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a broader based investigation than in any of its previous communications. Rather than seeking to rein in confused and perhaps overzealous field officers, this memo seems to unleash them.

#### D. The Fourth Example: November 17, 1984

The last instance cited in the Interim Report, a November 15, 1984, directive to the Baltimore field office,<sup>48/</sup> does nothing to redeem Headquarters' supervisory role. That memo simply affirmed Baltimore's general conduct in investigating an organization that fit the CISPES profile "to identify members and determine if they were engaged in terrorist acts or in support of terrorism inside the United States."<sup>49/</sup> In what the Bureau takes perhaps as a restrictive instruction, the Interim Report noted that "the FBI Headquarters further directed that should it be determined the group was not engaged in support of terrorism, the investigation should immediately be closed."<sup>50/</sup> Essentially, Headquarters is asking for its agents to prove the negative: i.e., unless they can show conclusively that there is no indication of terrorist activity, they must continue to investigate.

This last piece of guidance is, in fact, more vague than the original instruction. After all, the whole point of the investigation was to determine if CISPES was engaged in terrorist activity. The function of the field offices was to assemble as much information as possible, by "penetrating" every level of the organization. It was up to Headquarters, the coordinating office, or the Office of Intelligence Policy and Review (OIPR) in the Justice Department, actually to determine whether "investigative developments are sufficiently strong or compelling to retain the investigation in an active status."<sup>51/</sup> Of course, field offices had the discretion to devote more or less time to this investigation depending on the nature of the beast in each division. Where there

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48. CISPES-HQ, 199-8848-562 (November 15, 1984).

49. Interim Report, *supra* note 7, at 9.

50. *Id.*

51. *Id.* at 9-10. On June 3, 1985, almost two and one-half years after the investigation began, OIPR determined that no further investigation was warranted.

was no more information to report, field offices could close the investigation, as more and more such offices did throughout the course of the investigation. But, as long as the general investigation remained open, there was nothing to stop any field office from reopening it at the local level.

Interestingly, in one instance where a field office decided to close its investigation, Headquarters responded that it should not do so, but rather probe deeper. On November 9, 1983, the Phoenix field office sent an airtel to the Director advising that "it does not appear that further investigation regarding the Tucson Committee For Human Rights in Latin America is warranted. This case is therefore being closed."<sup>52/</sup> On the following January 6, Headquarters responded: "Based on the information contained in referenced Phoenix airtel, Phoenix should consider the possibility that the 'Tucson Committee For Human Rights' (TCHR) may be a front organization for the CISPES. [redactions] Before closing this investigation, Phoenix will submit information available regarding the TCHR to Dallas, Houston and San Antonio."<sup>53/</sup> Here again is an instance where Headquarters, instead of reining in the excesses, pushed the investigation to its outer limits.

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52. CISPES-HQ, 199-8848-128X (November 9, 1983) at 3.

53. CISPES-HQ, 199-8848-150 (January 6, 1984).

## CHAPTER 4

# Congress Should Enact an FBI Charter

The CISPES investigation demonstrates once again the need for statutory guidelines that clearly define the FBI's responsibilities when conducting criminal and terrorism intelligence investigations, both domestic and international. The internal guidelines and procedures that govern the FBI have diminished the opportunity for abuse. But the CISPES investigation indicates that that effort has not gone far enough in preventing such transgressions. Senator Edward Kennedy (D-Mass.) spoke, in introducing the first FBI charter bill in 1979, of "the inevitable tension which arises when the legitimate enforcement of the law and the lawful exercise of constitutional rights occupy the same space."<sup>54/</sup> This same tension was equally in the minds of the Founding Fathers two hundred years ago when they drafted the Constitution with specific protection against excessive police action. While some tension will always exist, it is possible and necessary to ease the tension by enacting statutory guidelines.

### A. The Current FBI Guidelines

The FBI currently conducts all of its investigations, intelligence as well as criminal, under the authority of two sets of guidelines promulgated by the Attorney General. The first set is "The Attorney General's Guidelines on General Crimes, Racketeering Enterprise and Domestic Security/Terrorism Investigations" (the Domestic Security Guidelines), which "provide guidance for all investigations by the FBI of crimes and crime-related activities."<sup>55/</sup> The second set is the "Attorney General Guidelines for FBI

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54. FBI Charter Act of 1979, S. 1612, Hearings before the Committee on the Judiciary, United States Senate (96th Cong., 1st Sess., Serial No. 96-53, Parts 1 & 2), Part 1, at 2 [hereinafter FBI Charter Hearings].

55. "The Attorney General's Guidelines on General Crimes, Racketeering Enterprise and Domestic Security/Terrorism Investigations," at 1 (March 7, 1983) [hereinafter Domestic Security Guidelines].

Foreign Intelligence Collection and Foreign Counterintelligence Investigations" (the FCI Guidelines), which cover "all foreign intelligence, foreign counterintelligence, foreign intelligence support activities, and *intelligence investigations of international terrorism* conducted by the FBI pursuant to Executive Order 12333."<sup>56/</sup>

The standards enumerated by these guidelines govern the predicate for initiating and the methods for conducting intelligence and terrorism investigations. All investigations must meet both a standard of proof and a factual threshold before they can begin. (Unfortunately, the FCI Guidelines remain partially classified, thus making it impossible to know the complete standards for conducting FCI investigations.) The standard for initiating domestic security/terrorism investigations is:

when the *facts or circumstances reasonably indicate* that two or more persons are engaged in an enterprise for the purpose of furthering political or social goals wholly or in part through activities that involve force or violence and a violation of the criminal laws of the United States. The standard of "reasonable indication" is identical to that governing the initiation of a general crimes investigation under Part II. In determining whether an investigation should be conducted, the FBI shall consider all of the circumstances including: (1) the magnitude of the threatened harm; (2) the likelihood it will occur; (3) the immediacy of the threat; and (4) the danger to privacy and free expression posed by an investigation.<sup>57/</sup>

"Reasonable indication" is the standard of proof; "engaging in a political enterprise for the *purpose* of furthering political or social goals . . . [using] force or violence and a violation of the criminal laws of the United States" is the factual standard. Thus, a domestic security/terrorism investigation can be based on a reasonable indication that the targets' purpose is to engage in political activities which involve violence and violate the law. While this standard is quite broad, the Domestic Security Guidelines still require

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56. "Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations," (April 18, 1983) at 1 [hereinafter FCI Guidelines] (emphasis added).

57. Domestic Security Guidelines, at 13-14, sec. III(B)(1)(a) (emphasis added). "The standard of 'reasonable indication' is substantially lower than probable cause. In determining whether there is reasonable indication of a federal criminal violation, a Special Agent may take into account any facts or circumstances that a prudent investigator would consider. However, the standard does require specific facts or circumstances indicating a past, current, or impending violation. There must be an objective, factual basis for initiating the investigation; a mere hunch is insufficient." *Id.* at 7, sec. II(C) (General Crimes). The guidelines further limit the factual standard by stating: "In the absence of any information indicating planned violence by a group or enterprise, mere speculation that force or violence might occur during the course of an otherwise peaceable demonstration is not sufficient grounds for initiation of an investigation under this section." *Id.* at 14, sec. III(B)(1)(c).

that the FBI establish some kind of criminal nexus to the persons under investigation. The guidelines also created the "enterprise" standard. This standard allows the FBI to investigate groups of people engaged in politically motivated violence, but limits the investigations only to those people who are knowing participants in criminal activities, known as an "enterprise."

The second set of guidelines--the FCI Guidelines--control all intelligence investigations that have a foreign connection. Since these investigations are carried out for "national security" purposes against foreign oriented targets, they tend to put less emphasis on safeguarding the constitutionally protected rights guaranteed to United States persons. Indeed, major portions of the FCI Guidelines are classified for national security reasons. While it is widely believed that those guidelines also use the same reasonable indication standard found in the Domestic Security Guidelines, as far as is known, the FCI Guidelines contain none of the limitations specified for domestic terrorism investigations--e.g., the four circumstances that must be weighed, or the caution on avoiding "mere speculation."

Unlike the Domestic Security Guidelines, the unclassified sections of the FCI Guidelines pay no heed to specific First Amendment issues that could arise, and give only lip service to the Constitution as a whole: "Such collection shall be accomplished by the least intrusive means that will provide information of the quality, scope and timeliness required and in a manner that is consistent with the Constitution and laws of the United States, these guidelines and Executive Orders."<sup>58/</sup> Indeed, the FCI Guidelines go so far as to authorize, under certain constraints and only with the approval of the FBI Director, the infiltration of groups "that will influence rights protected by the First Amendment, for example through assuming a leadership role in an organization."<sup>59/</sup>

Additionally, unlike the Domestic Security Guidelines, the FCI Guidelines do not use the "enterprise" standard. Thus, the FBI is able to investigate whole political

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58. FCI Guidelines, at 5, sec. III(A)(1). It is hardly imaginable that such language, if it existed, would remain classified.

59. FCI Guidelines, at 15, sec. IV(a)(2) (Special Techniques: Undisclosed Participation). The Director must determine that there is "probable cause" and that the "undisclosed participation is essential to establish, enhance, or maintain cover and the effect on the activities of the organization is incidental." The Office of Intelligence Policy and Review must also be notified.

organizations even when many, if not most, members are not suspected of being involved in "international terrorism."<sup>60/</sup>

The FCI Guidelines, then, give the FBI even wider authority to investigate persons or groups it believes may be preparing for or supporting others in international terrorism than it has for investigating domestic terrorism. These guidelines in particular allow the FBI to start an investigation on whole organizations with only the vaguest allegations of criminal activity in the United States--e.g., "supporting" foreign terrorists. Serious consequences were bound to follow when the FBI turned to the less restrictive FCI Guidelines to continue what had already proved a fruitless investigation under the general crimes section of the Domestic Security Guidelines.<sup>61/</sup>

The problem with having separate and lower standards for *international* terrorism investigations under the FCI Guidelines is that it allows the FBI to target United States persons who may be engaged only in First Amendment activities. The Domestic Security Guidelines already provide a standard which should be adequate to conduct intelligence investigations of terrorist type organizations; they allow flexibility while maintaining some safeguards. The FBI seems fully capable of using the Domestic Security Guidelines successfully in combatting terrorism in the United States, without having to cross the line into investigations of protected First Amendment activity. A modified standard for all criminal investigations, including terrorism, should be codified as part of a comprehensive FBI legislative charter.

## **B. The Need for a Charter**

The ACLU has long advocated the need for a comprehensive statutory FBI charter in order to establish a permanent base of authority for the FBI's investigatory, police training, support, and liaison functions and to prevent the Bureau from operating under

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60. The FCI Guidelines define "international terrorist" as "an individual or group that knowingly engages in international terrorism or activities in preparation therefor, or knowingly aids or abets any person engaged in such activities." FCI Guidelines, sec. 11(O), p. 4 (emphasis added).

61. The standards for the FARA criminal investigation are even more restrictive than even for domestic terrorism cases: "A general crimes investigation may be initiated by the FBI when facts or circumstances reasonably indicate that a federal crime has been, is being, or will be committed." Smith Guidelines, at 7, sec. 11(C)(1) (emphasis added).



the unfettered power of "inherent authority."<sup>62/</sup> Without such a charter, the FBI is controlled only by Executive Order and Attorney General guidelines, both of which are open to indiscriminate change and interpretation by the executive branch. In particular, legislation allows the executive and the Congress to develop a legislative history to explain the meaning and application of the standards for conducting investigations--a consensus of meaning that can be used for purposes of supervision and oversight.

A statutory charter provides a record and a benchmark against which to consider future changes in the standards and, by requiring those changes to go through the legislative process, permits the Congress and the public to debate recommendations and influence the outcome. Indeed, at present major portions of the FCI Guidelines are still classified and thus not subject to any public scrutiny. Finally, it permits the establishment of external controls (e.g. criminal liability and civil remedy) to enforce the standards.

In advocating the need for legislation, the ACLU is not suggesting that all of the guidelines and procedures governing investigations be enacted into statute, but only basic standards, restrictions, and controls. The management and control of operations or investigations should be left to guidelines, with the Congress suggesting broad requirements it would like to see met (i.e., First Amendment safeguards, frequent review of operations, Justice Department supervision). The charter would give the FBI the authority it needs to conduct criminal and terrorism intelligence, as well as foreign counterespionage, investigations, but would include substantive investigative standards and authorization procedures to protect civil liberties.

The first effort to enact an FBI charter began more than a decade ago following the Church Committee's conclusion that "[i]nvestigations have been based upon vague standards whose breadth made excessive collection inevitable."<sup>63/</sup> Following the Church

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62. Indeed, some of the language in this section is taken directly from earlier ACLU reports. See, e.g., Prepared Statement, American Civil Liberties Union, in FBI Charter Hearings, Part 1, *supra* note 54, at 253-70; Prepared Statement, American Civil Liberties Union, on Need for FBI Charter, in Statutory Charter, Hearings before the Committee on the Judiciary, U.S. Senate, 95th Cong., 2d Sess., on FBI Statutory Charter (Part 1, Apr. 20 & 25, 1978) at 117-37 [hereinafter FBI Preliminary Hearings]; "A Law to Control the FBI," sponsored by The Committee for Public Justice, the American Civil Liberties Union, and the Center for National Security Studies; The Lessons of ABSCAM, A Public Policy Report by the American Civil Liberties Union (Oct. 10, 1982, by Jerry Berman).

63. Church Committee Report, Book II, *supra* note 4, at 5 (emphasis added).

Committee investigation, and after a round of preliminary hearings in 1978,<sup>64/</sup> Senator Kennedy introduced the FBI Charter Act of 1979 (S. 1612, 96th Congress). That bill sought to establish a comprehensive authority for all FBI domestic activities.<sup>65/</sup> The bill, however, was never enacted into law.

### C. Proposed New Standards for Intelligence Investigations

Even without a comprehensive charter, the ACLU believes that one publicly enunciated standard should now apply for all criminal intelligence investigations that may involve the collection of information about the exercise of First Amendment rights relating to acts occurring or originating in the United States, including terrorism.<sup>66/</sup> As the CISPES case demonstrates, separate standards allow the FBI to investigate all the activities of U.S. political groups when just a small number of members are only suspected of illegal action. The indication of a foreign connection should not diminish the rights and protection normally afforded to Americans who are suspected of politically motivated criminal activity.

The mere collection of publicly available information can have a significant adverse effect--a "chilling effect"--on people's exercise of their constitutional rights. The fear of possible government surveillance can chill people from participating in certain activities. It is impossible to know how, or even if, the information collected may come back to haunt someone who has done absolutely nothing wrong. But experience has shown, as documented by the Church Committee, that in cases involving the intelligence surveillance of political organizations, the potential for abuse tends to outweigh the benefit of the information.

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64. FBI Preliminary Hearings Part 1 (Apr. 20 & 25, 1978), at 117-37 and Part 2 (June 12, 27, July 12, Aug. 10, 15, and Sep. 26, 1978), supra note 62.

65. The purposes of the bill were: "(1) to define the duties and responsibilities of the Federal Bureau of Investigation (FBI) except as to foreign intelligence collection and foreign counterintelligence investigations; (2) to confer upon the FBI and to codify the statutory authority necessary to discharge those duties and responsibilities; and (3) to establish procedures for the discharge of those duties and responsibilities." S. 1612, sec. 531 (96th Cong., 1st Sess.), reprinted in FBI Charter Hearings, Pt. 2, supra note 54, at 429.

66. The exception is for groups whose sole purpose is criminal activity, such as the Mafia, regardless of what it called itself. The FBI acknowledged, however, that CISPES was for the most part engaged in legitimate First Amendment activity.

The Church Committee reported how "the Government has collected, and then used improperly, huge amounts of information about the private lives, political beliefs and associations of numerous Americans. . . . That these abuses have adversely affected the constitutional rights of particular Americans is beyond question. But we believe the harm extends far beyond the citizens directly affected."<sup>67/</sup> The Report then eloquently explained the nature of this harm:

Free government depends upon the ability of all its citizens to speak their minds without fear of official sanction. The ability of ordinary people to be heard by their leaders means that they must be free to join in groups in order more effectively to express their grievances. Constitutional safeguards are needed to protect the timid as well as the courageous, the weak as well as the strong. While many Americans have been willing to assert their beliefs in the face of possible governmental reprisals, *no citizen should have to weigh his or her desire to express an opinion, or join a group, against the risk of having lawful speech or association used against him.*

Persons most intimidated may well not be those at the extremes of the political spectrum, but rather those nearer the middle. Yet voices of moderation are vital to balance public debate and avoid polarization of our society.<sup>68/</sup>

The CISPES investigation demonstrates a failure to ensure that this balance does not fall against the private individual or group. Yet, as the Church Committee experienced, it is very difficult to "draw the fine line between legitimate investigations of conduct and illegitimate investigations of advocacy and association."<sup>69/</sup> But given the Bureau's history of pursuing its investigative objectives with minimal deference to the constitutional rights of the people it is investigating, we must adopt stronger measures to protect against improper and unnecessary investigations.

The ACLU recommends the enactment of a statute that authorizes "criminal intelligence investigations" only where two or more persons are engaged in a pattern of activities for the purpose of furthering political or social goals wholly or in part through activities that involve force or violence and a violation of the federal criminal law. These investigations must be conducted according to public guidelines incorporating the

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67. Church Committee Report, Book II, supra note 4, at 290.

68. Id. at 290-91 (emphasis added).

69. Id. at 321.

following standards and procedures. These standards should apply even when the persons are suspected to be agents of a foreign power or involved in "international terrorism." The first three requirements proposed by the ACLU are consistent with, if not already a part of, current practice. The next three proposals are designed to give further protection to persons and groups engaged in First Amendment activities.

The first requirement is that all such investigations must be based on a written finding approved by the FBI Director that specific and articulable facts reasonably indicate that the subjects of investigation have engaged, are engaged, or will engage in a violation of the laws of the United States. This is the "reasonable suspicion" standard presently used in the Domestic Security and FCI Guidelines. Codifying this standard will add greater clarity and specificity to factual requirements needed to open an investigation.

Second, four circumstances must be weighed--(a) the magnitude of the threatened harm, (b) the likelihood it will occur, (c) the immediacy of the threat, and (d) the danger to privacy and free expression posed by an investigation. Again, the Domestic Security Guidelines currently require that these four circumstances be considered. However, the FCI Guidelines do not. This requirement would subject all investigations to this standard.

And third, minimization and supervisory procedures must be employed to ensure that the least intrusive means are used for collection, retention, and dissemination of information. Both the Domestic Security and FCI Guidelines also require the use of minimization procedures, although the provision in the FCI Guidelines allows the retention of any information "incidentally acquired . . . if it relates to FBI counterintelligence or law enforcement responsibilities or concerns FBI employees or assets."<sup>70</sup> A statutory specification will ensure greater oversight of this procedure both internally and by Congress.

Fourth, specific Attorney General certification for investigation of any organization engaged in the exercise of First Amendment rights that such organization *is* engaged or *is continuing to be* engaged in a violation of the laws of the United States or that

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70. FCI Guidelines, Sec. VI(E), at 24 (Minimization of Information Concerning United States Persons).

specific leaders or members of the organization are engaged in a violation of the laws of the United States and there is no other less intrusive means available to gather evidence or necessary information. This provision first requires direct Attorney General participation and then imposes a much higher threshold than normal criminal intelligence investigations before investigations can proceed on political organizations. The purpose of this provision is to ensure that the FBI affords the greatest protection to the political rights of the groups whom it investigates.

Fifth, the FBI may not infiltrate someone into a leadership or decision making capacity without disclosing that person's identity to the appropriate official of the organization. Such infiltration invariably distorts and undermines the political objectives of the groups under investigation. The FBI should not be directing any person in such a position to continue to act on the Bureau's behalf.

And sixth, the investigation must be reviewed every ninety days by FBI Headquarters and every year by the Attorney General (or designee), except that investigations requiring Attorney General certification (requirement four) must be reviewed by the Attorney General (or designee) every ninety days, to ensure that there is a continuing basis for investigation and that procedures for minimizing the intrusiveness of techniques employed and information collected are effective and being followed by agents conducting the investigation. This provision ensures continued Attorney General participation and supervision over all sensitive investigations.

Finally, the ACLU recommends that victims of unauthorized surveillance have a civil remedy under the Federal Tort Claims Act. The damage from an unauthorized FBI investigation can be extremely severe. Yet the only remedy presently available through *Bivens v. Six Unknown Agents of the Federal Bureau Narcotics*.<sup>71</sup> But *Bivens* applies only for violations of constitutional rights, and only against the individual agent; it does not extend to violations of privacy or the use of certain intrusive techniques, and it does not impose liability on the U.S. government. Since most agents have a good faith defense--acting under orders--and minimal assets, they are essentially judgement proof. A civil remedy against the government will give victims a greater chance of receiving

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71. 403 U.S. 288 (1971).

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both actual and punitive damages. And it puts a greater deterrent on all levels of government officials from violating the standards.

The ACLU also believes that government officials and agents should face criminal liability for the willful violation of the statute and guidelines. Criminal penalties serve two purposes. First, they add an extra deterrent on anyone contemplating an illegal investigation. Second, they give greater argument to people to resist pressure by the President or his or her advisors to perform an illegal investigation.

### **D. Conclusion**

The CISPES investigation has exposed a serious deficiency in the FBI's investigative authority. Senator Kennedy spoke of an "inevitable tension which arises when the legitimate enforcement of the law and the lawful exercise of constitutional rights occupy the same space." The current FBI guidelines upset this fragile balance by accommodating the demands of law enforcement without fully protecting the lawful exercise of our constitutional rights. Left to its own devices, the FBI, like any other investigative agency, frequently tends to focus singlemindedly on its own narrow goals while forsaking the protected liberties of its targets. As the Church Committee Report commented: "The natural tendency of Government is toward abuse of power. Men entrusted with power, even those aware of its dangers, tend, particularly when pressured, to slight liberty."<sup>72</sup> Given this tendency and the dangerous cost of its fulfillment, it is essential that Congress enact strong protection to secure, to the highest degree possible, our rights and liberties against the threat of government abuse of power.

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72. Church Committee Report, Book II, *supra* note 4, at 291.

Mr. EDWARDS. Thank you, Mr. Halperin.

We will withhold questions until all four members of the panel have testified.

Our next witness is Kenneth Bass. Mr. Bass is an attorney in private practice in Washington, DC. He was formerly Counsel for Intelligence Policy and Review in the Justice Department, where he had considerable experience dealing with these issues.

Mr. Bass.

**TESTIMONY OF KENNETH C. BASS III, VENABLE, BAETJER &  
HOWARD, McLEAN, VA**

Mr. BASS. Thank you, Mr. Chairman.

Mr. Chairman, members of the committee, I am pleased to appear before you today to discuss the development of the FBI guidelines for conducting terrorism investigations and the application of those guidelines to the CISPES investigation.

My brief opening statement will address the history and development of the guidelines. I will comment generally on the applications of those guidelines to the CISPES investigation.

My comments will necessarily be brief for two reasons: First, the applicable guidelines have changed since I left the Justice Department in 1981, and because many of the relevant portions are classified, I have not seen them and I can't comment on them.

Second, while I have reviewed parts of the CISPES file that have been made available under Freedom of Information Act, I have not seen the entire file and, therefore, cannot comment on a fully informed basis.

A fair and balanced review of this investigation must begin with a bit of history on the development of intelligence law. The relevant history begins in 1976 with the Church Committee. It was that committee and the disclosures that led to the creation of that committee that provided the impetus for all of the current intelligence law protecting rights of Americans. Indeed, it is possible to use 1976 as a demarcation point in the development of intelligence law as many of us know it.

The B.C. period—before Church—was marked by little legal attention to the rights of Americans caught up in intelligence and counterintelligence investigations. The A.D. period—after disclosure of COINTELPRO, CHAOS, and the Plumbers—has been marked by a proliferation of regulations drafted by the President and the Executive Branch and passage of a few significant intelligence laws by the Congress.

Any assessment of the CISPES investigation should begin with an awareness of the fact that while we may be in the 200th year of the ratification of our Constitution, we are only in the 12th year A.D. of the creation of the branch of intelligence law that forms the backdrop for this hearing.

There are many legitimate questions about the scope, extent, and duration of the CISPES investigation, but those legitimate questions should not obscure the fact that none of the serious abuses of COINTELPRO occurred in this investigation. As I understand the facts, there was no wiretapping in the CISPES case, there was no circulation of false, malicious gossip as part of a planned character

assassination, there is no indication of a NSA "watch list" for CISPES members, and there were no "black bag jobs."

While there was use of an informant and there may have been limited infiltration of CISPES chapters by FBI employees, the scope, extent and duration of this investigation was far more limited than the COINTELPRO activities the FBI guidelines were designed to prevent.

It is also important to note that the CISPES case was a terrorism investigation, not a law enforcement, intelligence or counterintelligence investigation. The main significance of this fact is that terrorism investigations are more likely than others to go beyond FBI guidelines for at least two separate reasons:

First, the Counterterrorism Section of the FBI, while located in the Criminal Division, frequently conducts terrorism investigations using the intelligence and counterintelligence guidelines that were drafted primarily for use by the Intelligence Division.

And second, terrorism has become a political buzz word that frequently produces the same kind of external pressures that led the FBI to the excesses of COINTELPRO.

While the external pressures of the sixties and early seventies came primarily from the White House, the counterterrorism pressures that can lead to excesses by the FBI today, can come from the Congress as well as the Executive Branch.

I will not dwell on the impact that congressional pressure may have had on this case except to note two historical facts:

One, when the Carter Administration sought passage of the Foreign Intelligence Surveillance Act, it was Congress that was primarily interested in broadening certain provisions of FISA to insure our ability to target terrorists.

Second, it was the Senate that set up a special subcommittee from 1981 until 1987 with oversight responsibilities for the FBI's counterterrorist activities. It is possible that some of the directions from Headquarters in the CISPES case that are now being criticized were at least in part a result of pressures the FBI feel from the Hill.

The fact that the Counterterrorism Section operates with a foot in the worlds of both intelligence and law enforcement is in large part attributable to the nature of international terrorism. But that fact necessarily means that the Counterterrorism Section does not have the same practical experience under the FBI guidelines that the Intelligence Division has, and therefore, may have more difficulty following the nuances of some of the provisions or the underlying principles of the guidelines.

A central question in this case is whether the guidelines worked. In my view, they did work fairly well in this case, at least based on the information that is publicly available. We know that the investigation was reviewed periodically by Justice Department and was terminated at least in part as a result of that periodic review.

We know that FBI Headquarters did send out instructions to the field to be sensitive to First Amendment rights, although some of those instructions may have been ambiguous or couched in the context of other instructions that resulted in an unnecessarily long or broad inquiry.



And we know that none of the excessively intrusive investigative techniques of COINTELPRO were employed here.

The guidelines will not prevent all excesses—they were never intended to be an insurance policy against excess. Like all laws, rules and regulations, they are only guideposts for the men and women who must work with them. The real protection of our rights and freedoms lies in the hearts and minds of our public officials, not in the text of the guidelines.

This is not to say that the existing guidelines are perfect. We can and must learn from experience. Perhaps we have learned in this case that the FBI should itself review certain cases earlier and at a higher level. As I understand the facts, this investigation was begun and supervised largely at the section level without significant continuing review by the Intelligence Division, the Criminal Division, or the Director's offices.

That process puts too much dependence on the Justice Department's Office of Intelligence Policy and Review instead of the Bureau itself. The guidelines will work best when they have been internalized by the FBI agents under FBI leadership, not when they are administered by the Justice Department in a supervisory posture.

A second lesson of the CISPES investigation is the clear continuing need for charter legislation. I do not believe charter legislation is essential for the creation of a body of law to protect Americans, for that body of law has been developing consistently since 1976 and shows little sign of being discarded.

An intelligence charter is essential, however, for attaining a broad national consensus on what we want the FBI and our other intelligence agencies to do for us. The Congress is a vital part to the development of any national consensus.

Congress has sometimes spoken in conflicting terms about intelligence, counterintelligence, and counterterrorism activities. That confusion can produce harmful excesses as well as induce an undesirable bureaucratic inertia. Passage of charter legislation would go a long way to setting a common agenda for the FBI and the American people.

Mr. Chairman, I have kept my prepared remarks brief because I understand your primary interest here today is in engaging in a dialogue with each of the witnesses. I would be happy to answer any questions the committee might have.

Thank you.

Mr. EDWARDS. Thank you very much, Mr. Bass.

[The prepared statement of Mr. Bass follows:]

STATEMENT OF KENNETH C. BASS, III  
BEFORE THE HOUSE JUDICIARY COMMITTEE  
ON THE FBI INVESTIGATION OF CISPES  
JUNE 13, 1988

Mr. Chairman and Members, I am pleased to appear before you to discuss the development of the FBI Guidelines for conducting terrorism investigations and the application of those guidelines to the investigation of The Committee in Solidarity with the People of El Salvador (CISPES). My brief opening statement will address the history and development of the guidelines. I will comment generally on the application of those guidelines to the CISPES investigation. My comments will necessarily be brief for two reasons: First, the applicable guidelines have changed since I left the Department of Justice in 1981 and because many of the relevant portions are classified I have not seen them; and, second, while I have reviewed parts of the CISPES file that have been made available under FOIA, I have not seen the entire file and therefore cannot comment on a fully informed basis.

A fair and balanced review of this investigation must begin with a bit of history on the development of intelligence law. The relevant history begins in 1976 with the Church Committee. It was that Committee and the disclosure of abuses that created the committee that provided the impetus for all the current intelligence law protecting the rights of Americans. Indeed, it is possible to use 1976 as a demarcation point in

the development of intelligence law as many of us know it. The B.C. period -- before Church -- was marked by little legal attention to the rights of Americans caught up in intelligence and counterintelligence investigations. The A.D. period -- after disclosure of COINTELPRO, CHAOS and the Plumbers -- has been marked by a proliferation of regulations drafted by the President and the Executive Branch and passage of a few significant intelligence laws by the Congress.

Any assessment of the CISPES investigation should begin with an awareness of the fact that while we may be in the 200th year of the ratification of the Constitution, we are only in the 12th year A.D. of the creation of the branch of intelligence law that forms the backdrop for this hearing.

There are many legitimate questions about the scope, extent and duration of the CISPES investigation, but those legitimate questions should not obscure the fact that none of the serious abuses of COINTELPRO occurred in this investigation. As I understand the facts, there was no wiretapping in the CISPES investigation, there was no circulation of false, malicious gossip as part of a planned character assassination, there is no indication of a NSA "watch list" for CISPES members, and there were no "black bag jobs". While there was use of an informant and there may have been limited infiltration of CISPES chapters by FBI employees, the scope, extent and duration of

this investigation was far more limited than the COINTELPRO activities the FBI Guidelines were designed to prevent.

It is also important to note that the CISPES case was a terrorism investigation, not a law enforcement, intelligence or counterintelligence investigation. The main significance of this fact is that terrorism investigations are more likely than others to go beyond FBI Guidelines for two separate reasons: First, the Counterterrorism Section of the FBI, while located in the Criminal Division, frequently conducts terrorism investigations using the Intelligence and Counterintelligence Guidelines that were drafted primarily for use by the Intelligence Division; and Second, terrorism has become a political buzzword that frequently produces the same kind of external pressures that led the FBI to the excesses of COINTELPRO. While the external pressures of the 1960's and early 70's came primarily from the White House, the counterterrorism pressures that can lead to excesses by the FBI can come from the Congress as well as the Executive Branch.

I will not dwell on the impact that Congressional pressures may have had on this case except to note two historical facts: One, when the Carter Administration sought passage of the Foreign Intelligence Surveillance Act, it was Congress that was primarily interested in broadening certain provisions of FISA to insure our ability to target terrorists.

Second, it was the Senate that set up a special subcommittee from 1981 until 1987 with oversight responsibilities for the FBI's counterterrorist activities. It is possible that some of the directions from headquarters in the CISPES case that are now being criticized were in part a result of pressures the FBI felt from the Hill.

The fact that the Counterterrorism Section operates with a foot in the worlds of both intelligence and law enforcement is in large part attributable to the nature of international terrorism. But that fact necessarily means that the Counterterrorism Section does not have the same practical experience under the guidelines that the Intelligence Division has, and therefore may have more difficulty following the nuances of some of the provisions or the underlying principles of the guidelines.

A central question in this case is whether the Guidelines worked. In my view they did work fairly well in this case, at least based on the information that is publicly available. We know that the investigation was reviewed periodically by the Department of Justice and was terminated at least in part as a result of that review. We know that FBI Headquarters did send out instructions to the field to be sensitive to First Amendment rights, although some of those instructions may have been ambiguous or couched in the context of other instructions

that resulted in an unnecessarily long or broad inquiry. And we know that none of the excessively intrusive investigative techniques of COINTELPRO were employed here.

The Guidelines will not prevent all excesses -- they were never intended to be an insurance policy against excess. Like all laws, rules and regulations, they are only guideposts for the men and women who must work with them. The real protection of our rights and freedoms lies in the hearts and minds of our public officials, not in the text of the Guidelines.

This is not to say that the existing guidelines are perfect. We can and must learn from experience. Perhaps we have learned in this case that the FBI should itself review certain cases earlier and at a higher level. As I understand the facts, this investigation was begun and supervised largely at the section level without significant continuing review by the Intelligence Division, the Criminal Division, or the Director. That process puts too much dependence on the Department's Office of Intelligence Policy and Review instead of the Bureau itself. The Guidelines will work best when they have been internalized by the FBI agents under FBI leadership, not when they are administered by the Department of Justice in a supervisory posture.

A second lesson of the CISPES investigation is the clear continuing need for charter legislation. I do not believe charter legislation is essential for the creation of a body of law to protect Americans, for that body of law has been developing consistently since 1976 and shows little sign of being discarded. An intelligence charter is essential, however, for attaining a broad national consensus on what we want the FBI and our other intelligence agencies to do for us. The Congress is a vital party to the development of any national consensus. Congress has sometimes spoken in conflicting terms about intelligence, counterintelligence and counterterrorism activities. That confusion can produce harmful excesses as well as induce an undesirable bureaucratic inertia. Passage of charter legislation would go a long way to setting a common agenda for the FBI and the American people.

Mr. Chairman, I have kept my prepared remarks quite general because I understand your primary interest here today is in engaging in a dialogue with each of the witnesses. I would be happy to answer any questions the Committee might have. Thank you.

Mr. EDWARDS. Our next witness is Eric Richard, also an attorney in private practice. Mr. Richard previously served as Counsel to the Senate Church Committee and from 1977 to 1981 was in the Justice Department, including two years as the Attorney General's Special Assistant for Intelligence.

Mr. Richard chaired the ABA Committee that produced a comprehensive and very useful analysis of the domestic security/terrorism guidelines in 1985.

Mr. Richard.

**TESTIMONY OF ERIC L. RICHARD, SQUIRE, SANDERS &  
DEMPSEY, WASHINGTON, DC**

Mr. RICHARD. Thank you, Mr. Chairman, and members of the subcommittee. I, too, greatly appreciate the opportunity to be a part of today's hearing. I will try to summarize my prepared statement, which I submitted for the record.

I do think this hearing is a continuing step in what is at least a 12 year process, and quite possibly a 41-year process, since the National Security Act of 1947, to combine two of the best traditions we have in this country: one, effective intelligence collection, and two, the rule of law.

It is useful to keep in mind that only a dozen years ago it was very controversial whether those two things were indeed compatible concepts. We now have historical experience, particularly about the domestic security/terrorism guidelines originally promulgated by Attorney General Levy, which should give us great optimism that they are compatible. We have historical experience to profit by because while those guidelines, which are relatively stringent, have been in effect we have fought terrorism effectively in this country, and I find that one of the most important things to have happened in our national political dialogue over the last decade.

A couple of preliminary comments. I think that I would have to agree with Mort Halperin on his conclusion about the political predicate in this case. If one looks back on it, it appears the FBI Headquarters at the time had a report from an informant whom they had been told was reliable by the Dallas Field Office, to the effect this group was, in fact, sending military supplies to El Salvador. That is probably about as specific an application that one ever gets that something might need an investigation.

Similarly, I am not particularly concerned with the FBI's definition of the insurgent groups in El Salvador as terrorists and it has nothing to do with whether or not I agree with this country's foreign policy in El Salvador. The point is the FBI must defer to others in making those kinds of determinations, and I would not like to see the FBI become the author of these kinds of formal policy questions.

Having said all that, however, I did have a serious concern about the way this investigation was conducted, because it seemed to me that there was a statement in the FBI's interim report on it reflecting a surprisingly rigid attitude about how one goes about choosing which guidelines to proceed under.

There is a statement in the FBI's interim report which basically says unless you have a group whose activities and membership are



entirely in the United States, you cannot proceed under the domestic security terrorism guidelines. I think that is wrong. I think what we had here is what I would refer to as a mixed facts situation.

The original allegation that came in from the informant was that there was international activity going on but this group was supplying military goods to El Salvador. As the investigation proceeded, however, the information actually unearthed by the FBI agents related much more to domestic activity. Such little nuggets as there were, and there were relatively few in this rather lengthy series of documents, are that the FBI had discovered that someone in CISPES might be reconnoitering in Dallas for terrorist attacks and there might be efforts to disrupt the Republican Convention in 1984, and some bombings that occurred in Washington that were not specifically linked to CISPES, but whose timing was suspicious.

These domestic elements indicate to me that at some point this investigation could well have been treated as a domestic security investigation. Indeed, it seems like mere happenstance the first allegation that came into the FBI happened to be international. The first ones that came in could have been domestic. If they had been domestic there is very little doubt that this investigation would have been treated as a domestic security investigation, and thus, subjected to the more stringent guidelines.

In fact, in preparing for today's hearing this morning, again I was reviewing the domestic security terrorism guidelines and I noted a provision I think is very relevant here. It says, "in the course of a domestic security investigation information warranting initiation of an investigation under these guidelines may be obtained which would justify the opening of an international terrorism investigation."

It says the reverse as well. In other words, the guidelines specifically contemplate that in the course of a domestic security investigation in the course of a foreign counterintelligence investigation, you may need to put on the brakes on one and start the other or go back and forth.

I certainly know of no legal reason why one could not do that if one had one of these mixed fact situations. I think the Bureau had a great deal more discretion here than it acknowledged. It may not realize it had the discretion, but I think it should realize it, given the language in the guidelines.

I think the implications of this are if one looks at the facts of this case and pretends they had been investigated under the domestic security terrorism guidelines, one discovers the investigation could have been started, such serious allegations as there were could have been examined thoroughly and the investigation would have been shut down on a much more timely basis once it was discovered there was a dry hole here.

That means to me that we ought to start taking a very serious look at abolishing this distinction between international terrorism investigations under the foreign counterintelligence guidelines and domestic security investigations under the domestic security/terrorism guidelines on the other hand.

Many of the concepts in the domestic security/terrorism guidelines do seem applicable and usable in the foreign counterintelli-

gence context and if that had been done here, as far as I can tell from the documents I have seen, the government would have lost nothing of value in terms of information that it was entitled to.

Now, I think there is one issue that is going to have to be examined very seriously as we look to the possibility of extending the domestic security/terrorism guidelines to international terrorism investigations. Under the domestic security/terrorism guidelines, one needs to have a link to a crime and that is a useful civil liberties protection. We need to look carefully at the criminal laws to see how they really do apply to a situation such as the one hypothesized by CISPES, where all the alleged violent activity planning was directed to happen in a foreign country, not here.

There are neutrality laws in this country, which I am not an expert on, that may be sufficient to cover this, so you could use the domestic security/terrorism guidelines as they are and be able to investigate most situations that we all agree bear looking into. But that is one thing we need to be careful about as we go ahead. If the answer turns out to be no, either we need to fiddle with the language of the domestic terrorism/security guidelines as to proceeding in these situations, or make some changes in the criminal laws.

In any event, the Bureau deserves some credit over the recent years for the effective job it has apparently done in protecting us all from terrorism, but I think if they had proceeded under the domestic security/terrorism guidelines, the privacy of members of CISPES would have been protected better, public reliability on the FBI would be in less question than it is at the moment, and we would have gone further toward protecting what I view as something very precious, which is a national consensus on how we strike a balance between civil liberties, law enforcement, and intelligence.

Thank you.

[The prepared statement of Mr. Richard follows:]

STATEMENT OF  
ERIC L. RICHARD

CONCERNING  
THE FBI INVESTIGATION OF  
THE COMMITTEE IN SOLIDARITY WITH THE  
PEOPLE OF EL SALVADOR

BEFORE THE  
SUBCOMMITTEE ON  
CIVIL AND CONSTITUTIONAL RIGHTS  
U. S. HOUSE OF REPRESENTATIVES

JUNE 13, 1988

Mr. Chairman and Members of the Subcommittee:

Thank you for inviting me to take part in this important discussion<sup>1</sup> concerning the FBI's investigation of the Committee in Solidarity with the People of El Salvador (CISPES), and the implications of that investigation for the rules of law under which the FBI should operate. I am appearing today as someone who has had a number of occasions to think about these issues over the years, but the views I express are solely my own. A summary of my relevant professional experiences are attached to my prepared statement.

I would like to begin by acknowledging a few positive aspects of the FBI's actions in this and similar cases. The FBI deserves some general credit for keeping this country relatively free from terrorist acts in recent years. Notably, however, the Bureau's success in this field has come at a time when it has been living under a relatively rigorous set of investigative rules -- the Attorney General's Guidelines on Domestic Security/Terrorism Investigations. Just a few years ago, the very idea that the rule of law would be applied to domestic intelligence was controversial. Now we have living proof in the form of

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<sup>1</sup>/ The views I express today are based on a limited review of the relevant documents released by the FBI. Specifically, my review of documents has been limited to those culled as especially relevant by the Subcommittee staff.

historical experience that law and intelligence are compatible. The success of this noble experiment is due in no small part to the FBI's cooperation with it.

Second, it is important to keep in mind that when it opened the CISPES investigation under the Attorney General's Foreign Counterintelligence ("FCI") Guidelines, FBI Headquarters had in its possession a report from an informant explicitly alleging that CISPES was providing military assistance to insurgent groups in El Salvador. Apparently, the Dallas field office of the FBI had represented to headquarters that this informant was reliable. We now know that this judgment was highly questionable. As a general proposition, however, FBI headquarters cannot second-guess the judgments of the field offices on the reliability of informants developed by those offices. There are simply too many informants helping the FBI with its broad array of responsibilities to permit a case-by-case evaluation of each of them here in Washington.

Third, I do not seriously doubt that the FBI was entitled to define the insurgent groups in El Salvador as "terrorist" for purposes of applying the relevant Attorney General guidelines to its work. The U.S. government regarded El Salvador's government as legitimate and friendly at the time, and it is not the FBI's job to make foreign policy. One need not agree with that foreign policy to accept the FBI's determination as being within the zone of reasonableness.

Fourth, the reactions of certain FBI field offices to the direction they were being given by Washington on the CISPES investigation also bespeak an FBI whose internal culture is vastly different from that which existed under J. Edgar Hoover. While the New Orleans field office in effect asked to be unleashed against CISPES, the Denver office raised questions about the propriety of the investigation as it related to the exercise of First Amendment rights. It is difficult to imagine a similar dissent arriving from a field office just fifteen or twenty years ago. The Denver field office should receive recognition for raising these issues.

Having said all this, however, I am concerned that the FBI has expressed, in its interim report looking back on this matter, a rather rigid view of the applicable guidelines. The FBI appears to believe that, once an FCI investigation is begun under the relatively lenient FCI Guidelines, the investigation must always continue in an FCI "mode." According to the Bureau, "domestic security/terrorism investigations," which occur under the stricter Domestic Security/Terrorism Investigations, "involve groups or individuals who are based or operate entirely within the United States and whose acts are directed at elements of the U. S. government and population." In other words, in the FBI's view, a foreign counterintelligence investigation is the only choice where any trans-border activities are involved.

The CISPES case is living proof, however, that real-life cases do not always fall clearly into international or domestic categories. In fact, as the FBI's investigation of CISPES progressed, its focus and justification seemed to change. While the original justification was based on alleged furtherance of terrorist acts in El Salvador, the Bureau increasingly seemed to focus on the possibility that CISPES was planning violent acts in the United States. For instance, in the FBI's interim report, the investigation's continuation is justified by citation to reports that a CISPES member had been asked to reconnoiter various sites, and public safety vehicle response times, in the Dallas area. Similarly, the Bureau suspected a link between bombings in Washington, D.C., and CISPES meetings occurring in the area at the same time. Other items cited in the Bureau's report include an alleged statement by a CISPES member that he would be able to knock out an important public utility in a major midwestern city, and allegations that members of CISPES might be plotting to assassinate President Reagan and disrupt the Republican National Convention in 1984.

In other words, relatively early in its investigation, the FBI developed information which, if credible, would have permitted the characterization of this investigation as a domestic security/terrorism investigation, rather than as a foreign counterintelligence or international terrorism investigation. Indeed, the fact that the FBI received allegations about inter-

national terrorism before it received allegations about domestic terrorism seems to be mere happenstance. If the domestic allegations had been received first, certainly this investigation could have been initiated under the Domestic Security/Terrorism Guidelines, rather than the FCI Guidelines.

I would suggest that when an investigation, like this one, contains both domestic and international elements, the FBI can exercise a great deal of discretion on whether to treat it as a domestic or an international matter, and thus as to which guidelines should govern the investigation. Of course, FCI investigations are run by the FBI's Intelligence Division, while domestic security/terrorism investigation are run by its Criminal Division. The former is not used to living under the Domestic Security/Terrorism Guidelines, while the latter is not used to living under the FCI guidelines. This organizational division may have as much to do as any other factor with why this case continued to be treated as an FCI matter even after domestic allegations came to the fore.

In justifying its use on the FCI Guidelines in this case, the FBI has relied on a narrow legal reading of the jurisdictional provisions of the FCI and Domestic Security/Terrorism Guidelines. (Interim Report, p. 7). Significantly, the FBI's interim report does not argue that, as a matter of policy or practicality, the Bureau could not have conducted the investigation effectively under the Domestic Security/Terrorism



Guidelines. Nor is it likely that such an argument would be credible, given the fact that those Guidelines explicitly permit the gathering of such information as the members of the terrorist enterprise and other persons likely to be knowingly acting in furtherance of its criminal objectives; the finances of the enterprise; the geographical dimensions of the enterprise; and past and future activities and goals of the enterprise. The link to the criminal law created by the reference to "criminal objectives" should not have been a significant obstacle to an efficient investigation by the FBI, because any alleged planning of terrorist acts in the United States would have involved any number of potential crimes, and the group's alleged international terrorists links could probably have been examined under the neutrality laws.

All this assumes, of course, that the Bureau could have met the threshold standard for conducting a domestic security/terrorism investigation in the first place. The threshold standard is that there must be a "reasonable indication" that "two or more persons are engaged in an enterprise for the purpose of furthering political or social goals wholly or in part through activities that involve force or violence and a violation of the criminal laws of the United States." Again, if FBI Headquarters believed in good faith that the Dallas informant was reliable, it might have been justified in initiating a short-term investigation. But if FBI or Justice Department officials had been forced

periodically in the investigative process to consider whether this standard had been met, I believe they would have concluded relatively soon thereafter that this investigation should stop. If this had taken place, the U. S. government would have lost little or no information of real value, the FBI would have avoided a major controversy, the privacy of CISPES members would have been preserved, and none of us would be here today.

These are powerful arguments for investigating whether we should now eliminate some of the legal distinctions between domestic and international terrorism for purposes of the Attorney General's guidelines, and begin instead to apply some of the concepts in the Domestic Security/Terrorism Guidelines to international terrorism investigations.

The place of international terrorism investigations in the FCI Guidelines has always been somewhat anomalous in any event. When those guidelines were originally drafted, the primary focus of the drafters was on spies -- people believed to be gathering information clandestinely on behalf of a foreign power. The sections of the FCI Guidelines on international terrorism, by contrast, do not require that the targets of such investigations be acting for or on behalf of a foreign power. The target of the investigation need only be engaged in certain dangerous acts intended to coerce populations or influence policies, occurring outside the United States or across borders. The fact that a subject of an international terrorism

investigation under the FCI Guidelines need not be acting on behalf of a foreign power reinforces the logic of abolishing the distinction between domestic and international terrorism. The Domestic Security/Terrorism Guidelines have worked so well in balancing civil liberties, intelligence, and law enforcement concerns that it may be time to spread the benefits of these Guidelines more widely.

In considering whether to extend the Domestic Security/Terrorism Guidelines to international terrorism, we will need to take a careful look at the extent to which the existing criminal laws of the United States already cover activities in the U.S. to promote terrorist acts abroad. Since the Domestic Security/Terrorism Guidelines link the standards for investigation to the criminal laws, any failure of those laws to reach international terrorist activity would have an adverse impact on the FBI's investigative authority in the event that the Domestic Security/Terrorism guidelines were indeed extended. If gaps in the criminal law are found, then some portions of the Domestic Security/Terrorism Guidelines would have to be modified in their application to international terrorist investigations, or new criminal statutes would have to be adopted to close the gaps.

The Domestic Security/Terrorism Guidelines as modified by Attorney General William French Smith contain one real innovation in the regulation of intelligence, which is the use of the enterprise concept. The FCI Guidelines contemplate the

investigation of entire organizations, whereas the enterprise concept used in the Domestic Security/Terrorism guidelines is more flexible in the best sense of that word. Under the Domestic Security/Terrorism Guidelines, an enterprise is something that two or more people engage in "for the purpose of" furthering certain goals through force or violence. In addition, investigations using the enterprise concept are to focus on obtaining such information as identifies the members of the enterprise and others knowingly acting in furtherance of its criminal objectives. Thus, unwitting participants in an enterprise, who may have no knowledge of its covert, illicit goals, should eventually cease to be the subjects of investigation under the built-in safeguards of the Domestic Security/Terrorism Guidelines. No similar safeguards are built into the FCI Guidelines at present.

Other desirable features of the Domestic Security/Terrorism Guidelines which seem likely candidates for application to international terrorism investigations include requirements that, before investigations are opened, appropriate officials must consider the magnitude of the threatened harm; the likelihood that it will occur; the immediacy of the threat; and the danger to privacy and free expression posed by an investigation. FBI agents are warned that, "[i]n the absence of any information indicating planned violence by a group or enterprise, mere speculation that force or violence might occur during the course of

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any otherwise peaceable demonstration is not sufficient grounds for initiation of an investigation. . . ." If these standards had been conscientiously applied to the CISPES investigation, it seems certain that an ongoing intrusion into legitimate political activity would have ended much sooner.

When the provisions of the FCI Guidelines on international terrorism were first drafted, it may not have been fully realized how frequently the groups that would be the targets of such investigations would be composed primarily of American citizens. Certainly, little thought was given to such issues as whether a mere statement by a group that it "supports" a foreign faction should serve as a legitimate predicate for an investigation. In the case of CISPES, I am willing to grant the FBI the benefit of the doubt that it was misled by a "bad" informant and perhaps by those within its own organization who had an interest in promoting the bona fides of that informant. But the very conscientiousness of the FBI gives me hope that by improving the standards pursuant to which its international terrorism investigations are conducted, we can eliminate much potential for controversy, protect civil liberties better than we have, and strengthen the FBI's most important asset: the trust and confidence of broad segments of the public in its work.

Thank you.

Mr. EDWARDS. Thank you very much.

Our final witness is John Finn, of Wesleyan University. Professor Finn has been studying the constitutional limitations on counterterrorism investigations, including the experiences of other nations.

Professor Finn, you are welcome.

**TESTIMONY OF JOHN FINN, PROFESSOR, WESLEYAN  
UNIVERSITY, MIDDLETOWN, CT**

Mr. FINN. Thank you very much.

I would like to thank the rest of the committee as well.

I appreciate the opportunity to speak on this question. I have a fairly long prepared remarks, but I will try to summarize them quite briefly. I would actually like to speak to two questions, one of which hasn't been addressed except implicitly, and I would like to speak to a second question about what changes, if any, are advisable in the way the FBI conducts investigations.

The first concerns freedom of expression issues, which are clearly implicit and somewhat explicit in this investigation. There has been an awful lot of talk about the scope of the investigation, which is truly broad. Did it interfere with constitutionally protected freedom of expression rights?

I think we need to be very careful about the way we talk about that and I think we need to be very careful about the way we approach the issue. I have to say, frankly, it is not at all clear under current constitutional jurisprudence that anything that is publicly known about the FBI investigation of CISPES actually interfered with First Amendment rights. Now, before we go too far into that, I simply want to say I am talking now just about the First Amendment as it is understood by the Supreme Court.

In a series of cases the Court has gone out of its way, as have lower federal courts, to indicate that merely showing up at public gatherings, recording license plate numbers, photographing participants, does not, strictly speaking, constitute a violation of the First Amendment. There are a number of cases and the FBI has been involved in more than one.

Perhaps the most important would be *Laird v. Tatum*, which was decided in the early seventies. I would urge anybody interested in this case to read that extensively.

Of course, the FBI will be more than intimately involved with a recent case called the *Alliance to End Repression v. FBI*, where the FBI entered into a consent decree in a federal court in Chicago, which limits the terms or the application of the domestic security/terrorism guidelines within the City of Chicago.

That said, I don't want to get into that issue at any great length. I want to point out I am not suggesting Congress ought to defer to what is a fairly narrow and fairly technical decision about what chilling means. I think Congress has a duty to exercise and I would urge it to exercise its own independent judgment about what the effects of these types of investigations are on the practice and the structural role that freedom of expression has to play in a democracy.

It is only when you consider the overall systemic effects of this sort of behavior that you can adequately weigh the First Amendment cost versus the FBI's legitimate—I think we all concede it is legitimate—interest in law enforcement and intelligence activities. If I get a chance, I would like to come back briefly to talk about the distinction between law enforcement and intelligence gathering activities, because they are quite critical in this case.

Now that I have said that, let me go to the question of possible changes in the FBI's charter. I support, as I think almost everybody does here, some notion of an FBI charter. I also support a charter that spends a good deal of time talking about internal organization with the FBI. Much of what happened here is not a failure of guidelines, but a failure of human error. We can pass new guidelines, we can pass charters. We have to recognize that ultimately none of them are going to do what we really need, which is firm and sensitive control within the FBI to control the scope of investigations.

I want to point out I also agree with the rest of the witnesses—the predicate the FBI had for starting its international counterintelligence investigation here probably was acceptable under the current guidelines. It may also have been acceptable under the domestic security/terrorism guidelines as well. That is a slightly more difficult issue.

I would support then an FBI charter. I would also support revision of guidelines along ways that some of the other members have spoken about. In particular, I would urge for an abolishment of the distinction between domestic security/terrorism and counterintelligence investigations. As we know, they basically proceed on the same predicate, although our information is limited to the classified nature.

We also know, however, that the scope of the investigation conducted under the FCI guidelines is more broad than what is permitted under the counterterrorism. I am not sure we can justify the differences when the activities here occurred entirely on the basis of American citizens and were entirely domestic. I am at a complete loss to understand what the purpose was in this case of having made the distinction between domestic terrorism and international terrorism, except to get out of the more rigid requirements implicit in the counterterrorism. I urge an abolishment of the distinction.

One other matter, and that goes back on the predicate. There has been talk here about whether the predicate ought to be more of a criminal predicate or something substantially lower than that. I don't think we can successfully answer that question in any intelligent way unless we first decide what the purpose of these sorts of investigations are.

If the purpose is essentially one of law enforcement, if the purpose is to generate indictments and prosecutions—of which CISPES gave us none, I might add—then we ought to have a standard that appears very close, if not identical, to the criminal standard either of probable cause or alternatively, lower reasonable indication standard currently in use. That is the approach I favor.

On the other hand, we have to concede that there is a legitimate social and state interest in law intelligence or criminal intelligence

investigations. The purpose of those investigations is rather different. The way these investigations should be conducted is entirely different and I think they might urge or might require us to go to a different sort of standard.

I again think the appropriate standard in this case would be the domestic security reasonable indication standard, as well as the First Amendment limitations that are implicit in the domestic security guidelines.

I think I will end there.

[The prepared statement of Mr. Finn follows:]



STATEMENT  
OF  
JOHN E. FINN  
ASSISTANT PROFESSOR OF GOVERNMENT  
DEPARTMENT OF GOVERNMENT  
WESLEYAN UNIVERSITY  
BEFORE  
THE  
SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS  
COMMITTEE ON THE JUDICIARY  
HOUSE OF REPRESENTATIVES

June 13, 1988

Finn: Prepared statement of June 13, 1988

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## I Introduction.

Chairman Edwards, I am pleased for the opportunity to appear before this subcommittee today to discuss the constitutional, and in particular the First Amendment issues raised by the Federal Bureau of Investigation's two investigations of the Committee in Support of the People of El Salvador (CISPES). My understanding is that the first investigation, from June 25, 1981 until February 23, 1982, was conducted at the request of the Department of Justice to determine if CISPES was in violation of the Foreign Agents Registration Act (FARA). The Interim Report issued by the FBI earlier this year indicates that the FBI's FARA investigation concluded "there was no specific evidence indicating CISPES was acting on behalf of, or at the direction of a foreign power or group." (IR, p. 4)

The second investigation was initiated on March 30, 1983, not as a continuing FARA investigation but as a separate and distinct counterterrorism inquiry. The predicate for this second investigation was essentially information provided by an informant, Frank Varelli, who claimed that certain activities by CISPES were directed by the FDR and FMLN, thereby "giving reason to believe that certain members of CISPES were or may have been engaged in international terrorism, or activities in preparation for terrorism..." (IR, p. 4) Hence the initiation and the scope of the second investigation was governed not by FARA or by the Attorney General's Guidelines for Domestic Security/Terrorism, but rather by the classified foreign counterintelligence guidelines. I think it important to note that Varelli's information directly contradicted the conclusion reached by the FBI in its earlier FARA investigation. (Varelli began as a paid informant in the FBI's Dallas office in March 1981, fully two months before the FARA investigation was commenced.)

Nevertheless, Varelli's information, if thought authentic, would appear

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to provide a sufficient predicate to have initiated an investigation under the FCI guidelines. Although much of these guidelines are classified, a FCI investigation is authorized in all cases that cover "foreign intelligence, foreign counterintelligence, foreign intelligence support activities, and all intelligence investigations of international terrorism conducted by the FBI pursuant to Executive Order 12333." ["Attorney General guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations," (April 18, 1983)] It is important to note here that the CISPES investigation did not proceed under the Domestic Security/Terrorism guidelines, which authorize investigations only

when the facts or circumstances reasonably indicate that two or more persons are engaged in an enterprise for the purpose of furthering political or social goals wholly or in part through activities that involve force or violence and a violation of the criminal laws of the United States. The standard of "reasonable indication" is identical to that governing the initiation of a general crimes investigation under Part II. *In determining whether an investigation should be conducted, the FBI shall consider all of the circumstances, including: (1) the magnitude of the threatened harm; (2) the likelihood it will occur; (3) the immediacy of the threat; and (4) the danger to privacy and free expression posed by an investigation. (emphasis added)*

None of those qualifications appear in the unclassified parts of the FCI guidelines. Moreover, unlike the Domestic guidelines, which limit investigations to individuals suspected of involvement in a criminal "enterprise," the FCI guidelines do not limit investigations to individuals but rather authorize investigations of entire groups. These differences figured prominently in the CISPES investigation. The FBI's Interim Report defended the use of the FCI guidelines by noting that "The CISPES investigation was based on facts which gave reason to believe that certain members of CISPES were or may have been engaged in international terrorism wherein such activities transcend international boundaries." (IR, p.

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Subsequent allegations and information gathered through the Freedom of Information Act (FOIA) indicated that during the five year course of its CISPES investigation, the FBI generated over 3700 pages of information and no indictments. Agents photographed participants and recorded license tag numbers at political gatherings in opposition to the Administration's Central America policy, and clipped offending articles from popular magazines. In addition, the FOIA materials clearly indicate that the investigation soon expanded to cover not only CISPES but also a very long list of other organizations, including several religious groups and unions, all of which were engaged in legitimate political activities protected by the First Amendment. In several airtels FBI-HQ repeatedly counseled its agents not to interfere with protected political expression, but FBI Director Sessions has since conceded that some agents pursued this investigation too aggressively and that some field offices were not properly supervised. The investigation was terminated when the Office of Intelligence Policy and Review in the Department of Justice concluded that CISPES was involved only in "political activities involving First Amendment rights and not international terrorism."

## II Constitutional Concerns.

There are several constitutional issues raised by the FBI's conduct in this case. Some of these issues are specific to possible First Amendment violations in the CISPES investigation. Others involve questions concerning constitutional limitations in counterterrorism policies more generally and the different functions of criminal prosecution and intelligence gathering in a democratic society. I shall address each in turn.

### A. First Amendment Considerations in the CISPES Investigation.

### 1. The FCI Guidelines.

Director Sessions has repeatedly stated that the FBI's investigation was "narrow in focus and was limited to...leaders and key members to ascertain..." if they were involved in illegal activities. Nevertheless, the scope of the investigation undeniably included individual members completely unaware of the activity suspected of leaders and those key members, and later included at least "follow up" investigations of other organizations simply because CISPES members were also involved or in contact with those organizations in some way.

As a result, the FBI was involved for nearly five years in the surveillance of perfectly legitimate First Amendment activities of speech and association on the part of CISPES members who were not individually suspected of criminal activity. The first question is whether so extensive an investigation exceeded the FCI guidelines. As noted earlier, the unclassified sections of those guidelines appear to authorize investigations of organizations and groups who provide "support" for international terrorism. The FCI guidelines do not limit such investigations to individuals suspected of criminal activity, and as a consequence authorize investigations that are remarkably broad in scope, as was the second CISPES investigation. Moreover, the guidelines do not define "support" for international terrorism (nor do they define terrorism), but it is fair to assume that its meaning is substantially more relaxed than the standard applied under FARA. It is also clear that an FCI investigation can proceed simply on the basis of advocacy. Therefore, the second investigation could proceed even after the earlier FARA investigation of CISPES was discontinued. The failure of the FCI guidelines to duplicate the domestic security cautions on First Amendment activity was also a significant factor in the initiation and later in the scope of the second investigation.

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## 2. First Amendment Considerations.

The CISPES investigation clearly encompassed surveillance of First Amendment activities, but it is less clear that the investigation unconstitutionally infringed upon freedom of expression. The FBI's activities, however distressing some may find them, do not appear, strictly speaking, to have been illegal or to have actually violated the First Amendment rights of the individuals and groups concerned. Although its investigation was broad, the FBI collected information that was publicly available and I am aware of no substantiated evidence that the FBI actually harassed CISPES or its individual members. It is true that the FBI's behavior may be said to have "chilled" political expression in some general sense, but the collection of publicly available information and the presence of agents at public gatherings--short of actual and overt interference--has not been held by the Supreme Court to constitute an unconstitutional "chilling" of First Amendment rights, whether of speech or association. In *Laird v. Tatum* 408 U.S. 1 (1971), for example, the Court was asked to enjoin the Army's domestic intelligence activity conducted under the CONUS program. Although the precedent is troublesome because of its procedural posture, the Supreme Court ruled that federal jurisdiction could not be invoked by a claim that a litigant's First Amendment rights were "chilled" by governmental intelligence gathering activities, absent some direct injury. It appears, therefore, that the Court has ruled that First Amendment rights are not infringed by the act of intelligence gathering alone. (For reasons of space, I do not address in this testimony the related Privacy Act issues raised by the FBI's collection of otherwise publicly available information.)

Similarly, in a case of especial relevance given some of the activities

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in the CISPES investigation, a federal district court, in *Donahue v. Duling* 330 F. Supp. 308 (1971), rejected a lawsuit brought by leaders of a demonstration who claimed that local police officers who had taken pictures at the demonstration had "chilled" their first amendment rights. See also *Socialist Workers Party v. Attorney General of the United States*, 419 U.S. 1314 (1974).

Also important on this point is the case of *Alliance to End Repression v. City of Chicago* (U.S. Dist. Ct., April 18, 1983), in which the plaintiffs sought an order restraining the FBI from implementing within the city of Chicago the Domestic Security/Terrorism guidelines. The plaintiffs argued that those guidelines offended the terms of a consent decree entered in an earlier case. They argued also, on the strength of *Brandenburg v. Hayes* 395 U.S. 447 (1969) (per curiam), that the domestic security guidelines violated the First Amendment proper. Brandenburg held that "the constitutional guarantees of free speech and free press do not permit a State to forbid or proscribe advocacy of the use of force or of law violation except where such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such action." It is quite clear that the domestic security guidelines are considerably more relaxed than the Brandenburg standard. Nevertheless, those standards are what must be satisfied to criminalize speech and therefore do not necessarily limit the government's ability to conduct investigations. This latter point was left open by the district court in the *Alliance to End Repression* case.

In sum, in our constitutional jurisprudence, the chilling effect of a governmental investigation, absent some direct injury, does not by itself amount to a constitutional violation. I am not, however, suggesting that Congress ought to measure First Amendment concerns solely by reference to Supreme Court case law. Instead, Congress should exercise its own

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constitutional judgment to conclude that investigations of the breadth and scope of the sort that occurred in the CISPES case are inimical to the constitutional values of free speech and association essential to democratic self-governance and so should be restricted. As the Church Committee argued,

Constitutional safeguards are needed to protect the timid as well as the courageous, the weak as well as the strong.... No citizen should have to weigh his or her desire to express an opinion, or join a group, against the risk of having lawful speech or association used against him. [U.S. Congress, Senate, Select Committee to Study Governmental Operations with respect to Intelligence Activities, Book II, "Intelligence Activities and the Rights of Americans" 94th Cong., 2d sess., Rep. No. 94-755, p. 5.]

The "chilling" effect of such surveillance must be considered not only on the basis of its effect upon the individual, but also on the basis of its long-term, systemic effect upon freedom of expression as an indispensable structural component of democracy. It is only when the structural, systemic effects are considered that they can be properly weighed against the public interest in law enforcement and intelligence gathering.

## **B. Possible Changes and Recommendations.**

### **1. Changes in the Attorney General's Guidelines.**

There are a number of means by which Congress could ensure greater respect for constitutional values and do so in a way that acknowledges the nation's very real and legitimate interests in law enforcement and counterintelligence. One such change should be to specify that investigations--whether domestic security/terrorism or foreign counterintelligence--must be limited to individuals knowingly involved in a criminal enterprise and not targeted to groups as a whole. (Although the FCI Guidelines are classified, it is known that they permit the FBI to target



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whole groups even when suspicion is limited to certain members only.) Likewise, Congress should tighten the FCI predicate requirements so that they exclude reliance upon ideology or advocacy alone, perhaps by requiring reasonable suspicion/indication or, alternatively, probable cause to suspect criminal activity. (The reasonable indication standard is lower than the probable cause standard typically associated with criminal law enforcement--choosing between these standards, as I indicate below, is very much related to the distinction between law enforcement and intelligence gathering.) Broad predicates of the sort now permitted under the FCI almost necessitate expansive investigations. (Consider Assistant Director Revell's statement to the National Press Club that the investigation was "not specific as to individuals but as to the purpose of the organization.... So it had to be broad and it narrowed as it proceeded.")

I shall speak to the question of threshold predicates in greater detail later on, but for now I wish to point out that choosing among them cannot be done intelligently without first specifying in some detail and with some clarity what the purpose of investigations like these is, and in my view that is an unresolved question. Moreover, the use of the phrase "terrorism" in both sets of guidelines invites expansive investigations because the phrase is left essentially undefined--as a consequence, the distinction between terrorism and political dissent is easily blurred, as the CISPES case demonstrates.

This is especially true under the current FCI guidelines, which contain none of the First Amendment precautions that appear in the domestic security/terrorism guidelines. For example, the domestic guidelines require that the FBI consider the "danger to privacy and free expression posed by an investigation." No such caution appears in unclassified sections of the FCI

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guidelines, and indeed those guidelines permit, in limited cases, infiltration of groups even where "that will influence rights protected by the First Amendment, for example through assuming a leadership role in an organization." In addition, under the domestic guidelines, the FBI must limit its investigation to individuals who are knowing participants in a criminal "enterprise." The FCI guidelines are not so limited and as a consequence, the FBI may investigate entire groups, even if many or most members are not individually suspected of supporting international terrorism.

Hence, investigations conducted under the FCI guidelines pose a more direct threat to freedom of expression than do investigations conducted under the Smith guidelines. I must again stress that the FBI's decision to proceed under the FCI guidelines was premised upon the claim that CISPES may have been acting "in support of international terrorism." The vagueness of this phrase is quite troubling, for both the language of "support" and the concept of "terrorism" can be construed--and in this case apparently were--to mean mere political advocacy, a conclusion reinforced by the results of the FBI's own FARA investigation. It is worth noting here that British efforts to make criminalize "support" for terrorist causes under the Prevention of Terrorism Act (1976) have led to well-publicized difficulties concerning what "support" means and how broadly it can be defined.

Also troublesome is the use of a distinction between domestic terrorism and international terrorism to support separate investigations that proceed under different rules governing their initiation and termination, and that authorize different sorts of investigative techniques and different levels of intrusiveness, as is now the case. Whether the alleged activity on the part of CISPES was "in support" of domestic terrorism or international terrorism seems hardly to matter: In either case the subjects of investigation were

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American citizens and the conduct involved occurred domestically. The rationale for a different set of investigative rules for international as opposed to domestic terrorism, when in both cases the relevant activity is the same and occurs within the United States, is not obvious.

If the purpose of such investigations is essentially one of law enforcement and the development of criminal prosecutions, therefore, there ought only to be one standard governing both domestic and foreign counterintelligence investigations. The undesirability of the FCI guidelines for these purposes is underscored by the absence of indictments, not to say prosecutions, generated by the CISPES investigation. Instead, the standard should either be the reasonable indication standard and criminal enterprise limitation currently in the Smith guidelines, or a more stringent probable cause standard (I address this issue in more detail in Section III, *infra*). In other words, such investigations should be permitted only in cases only "where two or more persons are engaged in a pattern of activities for the purpose of furthering political or social goals wholly or in part through activities that involve force or violence." In addition, these investigations should be limited to individuals reasonably suspected of involvement in a criminal enterprise and should not be extended to entire organizations or groups as a whole.

## **2. Changes in the Organizational Structure and Internal Policies of the FBI.**

The experience with CISPES also suggests the need for more accountability and direct and detailed supervision between FBI-HQ and the field offices. Indeed, in the long run no set of administrative or statutory guidelines can substitute for sensitive and firm direction from FBI-HQ. To its credit, at several points in the CISPES investigation FBI-HQ did caution

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agents not to intrude on protected speech, but it is clear that some offices and agents either ignored or misunderstood those cautions; and, in one case, a field office was directed by FBI-HQ to proceed with an investigation it had closed to determine if the organization was a "front" for CISPES.

The CISPES investigation underscores the extent of decentralization, and consequent lack of accountability, that currently exists in the FBI. Much of the investigation was centered at the Dallas office, and other field offices varied widely in their approach to the investigation. FOIA documents indicate that the Pittsburgh office wanted to place an informer in the local CISPES chapter, and the New Orleans office wrote of the need "to formulate a plan of attack against against CISPES and specifically against individuals who defiantly display their contempt for the U.S. Government...." On the other hand, the Denver office concluded that "in spite of attempts by the bureau to clarify guidelines and goals for this investigation, [we] are not sure of how much seemingly legitimate political activity can be monitored." To this end, all counterintelligence investigations should be approved by the Director personally and supported by written findings indicating that the reasonable indication standard has been applied and satisfied.

### III Intelligence, Law Enforcement, and Constitutional Liberties.

Public critics of the CISPES investigation have repeatedly noted that five years of extensive surveillance notwithstanding, the investigation produced no indictments and no prosecutions. I mentioned earlier that this failure is intricately related to the question of investigation predicates and how stringent they should be. Investigations the purpose of which is law enforcement and criminal prosecution should be initiated only on the strength of predicates that are likely to satisfy that purpose. As a consequence,

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investigations of this sort should be strictly limited to criminal behavior and initiated only on probable cause to suspect criminal activity. Less stringent standards permit the collection of information concerning legitimate First Amendment activities that cannot of themselves give rise to criminal prosecutions. This understandably and quite properly engenders public fears that the FBI is using intrusive surveillance techniques to harass administration opponents and monitor political dissent.

Still, we ought not confuse law enforcement with investigations whose central purpose is intelligence gathering and evaluation rather than criminal prosecution. Assuming the state has an interest in and a need for surveillance and intelligence gathering that is distinct from its interest in law enforcement and the prevention of criminal behavior (and I recognize how controversial that assumption is), the predicate for such investigations should be somewhat less stringent than for law enforcement investigations. As Director Webster testified in 1982, "Our domestic security investigations...entail not only determining who committed specific criminal acts but also how those individuals related to others similarly motivated, how they are financed and supported logistically, and who their leadership is." [U.S. Congress, Senate, *Domestic Security (Levi) Guidelines*, Hearings before the Subcommittee on Security and Terrorism of the Senate Committee on the Judiciary, 97th Cong., 2d sess., 1982, p. 11.]

How we approach the distinction between these sorts of investigations also depends upon how we approach the phenomenon of political terrorism and how we assess its significance. It is commonplace by now to observe that debates over definitions of terrorism are endless, but the consequences of definition are very real and of more than mere scholastic importance. I have argued elsewhere that the tendency to "exceptionalize" terrorism and to speak

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of a "war" against it leads policy makers and academics to conclude that extraordinary or special measures are needed to respond to terrorism. Surely some idea of this type is the basic justification for the relatively relaxed regulations that currently govern FCI investigations.

I have argued also that the preferable approach is to treat terrorism as simply another form of criminal activity, in part because the accouterments of terror--burglaries, bombings, murders, kidnappings, and the like--already violate the criminal laws of every western democracy. Under a criminal activity approach, terrorism investigations would proceed, as would all typical law enforcement investigations, under a probable cause standard or under the general crimes standard in the Smith guidelines. Similarly, there would be no reason to distinguish, as the current guidelines do, between foreign counterintelligence and domestic security investigations. And all investigations would be limited to individuals suspected of criminal behavior--groups as such would not be investigated simply on the basis of ideology or advocacy or vague allegations of unspecified "support" for terrorist organizations. Such a requirement appears to be in force in Chicago as a result of the consent decree agreed to by the FBI in the Alliance to End Repression case that I discussed earlier. It is worth noting here that this standard would preclude use of many of the investigative techniques used in the CISPES case by in effect adopting the criminal prosecution standard specified in Brandenburg as the threshold predicate.

Nevertheless, the state does have a legitimate interest in intelligence gathering and evaluation that is distinct from its law enforcement interests. Unfortunately, the Constitution is largely silent on the subject of intelligence gathering. And as Director Webster's testimony suggested, there are reasons to distinguish terrorism from other

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forms of criminal activity, and therefore to apply a different predicate as a condition for an investigation. This predicate should be less stringent than the criminal prosecution standard. The reasonable indication predicate currently in use under the Smith guidelines strikes an appropriate balance and should be required for all domestic intelligence investigations that implicate American citizens, whether in support of domestic or international terrorism. The freedom of expression conditions contained in the Smith guidelines should likewise be expanded to cover all domestic intelligence investigations.

Even so, intelligence investigations do create the possibility that the information collected can be used to harass or intimidate citizens who oppose administration policies. This is a problem very much complicated by the concentration of both law enforcement and intelligence functions within a single organization like the FBI. There are some very real differences between these two functions and the sort of information needed to perform them and that they are likely to collect. Criminal investigations have beginning points and end points and an internal dynamic determined by the goal of prosecution. Intelligence investigations are ongoing, fluid, and are necessarily less structured. Information of great use in an intelligence investigation may be either irrelevant or simply useless in a criminal investigation. The differences between these two functions are not as well understood or as much appreciated as they are in some other countries, such as Great Britain, where the security service fulfills intelligence functions only and the police have a monopoly over law enforcement functions. Combining both functions in a single agency can only increase fears that information gathered in the pursuit of one function will be improperly used in the other.

As I indicated earlier, there are but a very few ways to counteract this

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problem. One is simply to deny the need for intelligence investigations that proceed on a predicate less stringent than the criminal prosecution standard. For the reasons I identified earlier, this approach is unsatisfactory. A second approach--the one currently employed--is to enact a set of guidelines that limit the initiation and determine the scope of such investigations. I have suggested how the current guidelines might be improved to better account for First Amendment concerns, but we must acknowledge that the capacity of rules to constrain behavior is always limited; intelligence gathering and evaluation is a discretionary enterprise inherently ill-suited to governance through specific rules. Faults in the CISPES investigation were as much a result of human error as of deficiencies in the guidelines.

That said, the development of such guidelines, and their utility, has been hampered in the past by questions concerning their authority, their partial secrecy, and the opportunity they present for abuse. Statutory guidelines and charters might offset some of those difficulties, as well as make more public the state and society's legitimate interest in such information. An FBI Charter in particular, in investigative which guidelines were codified, would help serve this purpose, but it will not resolve the other difficulties I have identified. Moreover, efforts to enact a charter or statutory guidelines will raise troublesome constitutional issues concerning separation of powers and the inherent powers of the president, issues too complex to explore in this limited forum.

#### IV Conclusion.

The CISPES investigation has once again raised concerns about the FBI's investigation of domestic political organizations and the extent to which such investigations, even if properly conceived in origination, interfere with



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protected and legitimate First Amendment activities. I have argued that those concerns require a more sophisticated understanding of the distinctions between law enforcement and intelligence gathering and evaluation, and that only through an appreciation of the distinction between these two activities, and how they relate to terrorism, can those concerns be addressed.

I have recommended also that the Smith guidelines be expanded to cover all domestic intelligence investigations and that the distinction between domestic terrorism and international terrorism--insofar as it authorizes different sorts of investigations based on different predicates--be eliminated and replaced with a single "reasonable indication" standard. Finally, I have indicated that a more fruitful long run approach should focus not on the development of external guidelines but rather on internal FBI organization.

Mr. EDWARDS. Thank you very much. That is very helpful testimony.

Mr. Kastenmeier, do you have any questions?

Mr. KASTENMEIER. Thank you, Mr. Chairman. I want to congratulate you on this hearing, although it is a continuation of something you and this committee have been interested in for some time.

I think the testimony, brief as it was, by the witnesses is very much on point and very useful. A discussion of what if any statutory changes might be appropriate, whether limits ought to be some of the more stringent, or whether, as the last witness suggested, we need to first know the purposes of these investigations in the name of intelligence or in the name of preventing terrorism. And also, the fact that we are quite far behind in reaching, in developing a charter for the Bureau.

I don't want to read too much into what some of the witnesses testified to. I was interested in Mr. Richard suggesting, I thought at the outset, part of the problem might be whether or not the Bureau might be influenced by other factors. That is to say, I suppose I may be reading into this, but by the Administration or Justice Department or by the State Department, or the intelligence community, in terms of what it thinks are its appropriate—in terms of expectations or whether it is specifically tasked to do certain things or whether it believes in concert with the Administration with certain policies reflected throughout the rest of the Executive bureaucracies we can expect it to be as neutral in its response to the sometime political questions as it might be under another Administration.

Maybe that is too much to ask for. If it is, then the problem may be worse. That is, it might be cyclical. The early seventies may return in the mid-eighties and return again in the mid-nineties, partly because of this sort of political response to expectations, partly in response to the rest of the bureaucracies, and the political nature of the Administration.

I don't want to read too much into that, Mr. Richard, but I do think that is a problem that probably a somewhat more stringent charter might help resolve. But I suppose we would have to look for a continuing need for a Congress to exercise oversight to sort of counter that disposition.

Would you not agree, sir?

Mr. RICHARD. I do agree with that. I think Ken Bass may have touched on that at more length than I did, but I will respond to it.

I think there are a combination of answers. One is hearings like this serve a tremendously valuable purpose in keeping people in the Executive Branch aware, as much as they may dislike it, that there is oversight and that one can never tell when one may be called to account. I think that has a useful deterrent effect in its best sense.

Secondly, I think some procedural safeguards can be set up, and indeed have been set up. For instance, I guess about ten years ago there were guidelines instituted at the Justice Department for dissemination of information by the FBI to the White House. My understanding is those guidelines or some form of them are still in effect.

I think one useful procedural safeguard is to the maximum extent possible, make sure when there is contact between the FBI and the White House on something that may have these political ramifications it go through responsible officials at the Justice Department so people can't deny they knew what happened.

Mr. BASS. There are a couple of brief comments.

I would agree with your observation of the cyclical nature of the Bureau's activities. I would point out it is not, in all instances, a cycle that is tied to either political party or position on the political spectrum. Many of the pressures that led to Bureau excesses in the COINTELPRO, Chaos started before the Nixon Administration. I think it is an unfortunate phenomena that has been evident in both parties. I think the tie to it tends to be with the level of international tension in the world.

Mr. KASTENMEIER. I did not mention political parties. It was not my intention or my implication.

Mr. BASS. I understand that. I did not read that into your question, although I think some commentators have said it tends to fluctuate with political ideology. I think if you want to tie it to something external you can tie it to level of international tension in the world. When we are successful in the area of foreign relations in maintaining a relatively placid international environment, the Bureau is called upon less often to get into the matters that it got into here.

Similarly, when there is a consensus within the United States on what our foreign objectives are, it tends to provoke less problem for the FBI.

In both Vietnam and in the case of the El Salvador investigation, one of the things that I note is that you had this very distinct difference between public goals and Administration goals, and that is going to tend to produce the type of criticism I think that we see here.

The other point that I would raise very preliminarily and touch on briefly, that I think the committee will need to address when it looks seriously at charter legislation, is what component of the federal investigative mechanism we want to do domestic intelligence work. The FBI is preeminently a law enforcement agency, not an intelligence agency, although the Intelligence Division of the Bureau tends to be more like an intelligence agency than a law enforcement agency.

The mentality of the two disciplines is quite different. Professor Finn alluded to this earlier. I think there is a serious debate as to whether it is better to put domestic foreign intelligence investigation duties in the CIA, in an intelligence agency, or in the FBI.

In a nutshell, I think the argument tends to be that if you put it in the FBI, the laudatory law enforcement, constitutional rights, sensitivity to American values that are inherent in a law enforcement agency will tend to dampen any excesses in the intelligence field.

The arguments on the other side being that it is not something the Bureau is that skilled at. It does something that the Bureau recognizes as a career track and therefore, may not be as effective or efficient at weeding out the good from the bad in terms of productive information versus useless noise.

Mr. HALPERIN. Could I add one comment to that?

I think part of the problem here again is the absence of legislative limits. Because when you have limits that are just put in by the Executive Branch and there is pressure on the Bureau or any other agency to engage in an activity, then the pressure to accommodate the limits or interpret the limits so that the activity can go forward is, I think, much stronger when the agency can point to the Congress and say a law was enacted. We are responsible to the Congress for a budget, and so on. We can't do this so we are going to get into trouble with Congress.

I think not only with the Bureau but the CIA, and in general that is much more effective than if they just have to say the rule you wrote for us we would violate here because the answer always can be then we will change the rule if you can't conduct investigations without that.

Mr. KASTENMEIER. I think that is a good point. I think it is one that arose during the Iran-Contra hearings with respect to the CIA, that there are statutory limits that were finally recognized and finally tried to blow the whistle in that operation. This was handled in that way.

Mr. Bass, I think you are correct to suggest that—a couple of things, but one of them that might be cured by a review of cases earlier and at a higher level, I am not convinced about that.

The reason I say that, I think is, because I vividly recall within the last six months the top FBI officials—maybe not necessarily the new Director or the past Director but the other top people—vigorously defending the CISPES investigation before the Senate and in a manner which meant that they were absolutely sanguine about it personally. I mean, it wasn't a question of merely defending subordinates, but that they conscientiously felt this was the right thing to do.

So I wonder whether that is an effective restraint—review at a higher level so to speak?

Mr. BASS. Congressman, I have two responses to that:

First, I wasn't there, and I am not certain of this, but based on what I have read and a few conversations I have had with some people who were there, the after the fact justification at second levels of the FBI is very different from an on the scene view as it develops.

It is my understanding that the CISPES annual reviews within the Bureau never rose above the second level. I could be wrong in that. But if they weren't reviewed at either the Intelligence Division or at the Criminal Division level, and went straight to the Department of Justice, I think you have a breakdown in management, not in guidelines.

If you have a situation where it is only after the cat is out of the bag, so to speak, that the senior bureau people have to come forth, they are then going to get caught and it really is probably only the Director in the bureaucracy of the FBI who can come forth and say something was done wrong.

The second level and certainly the division level people will tend historically to back up what was done rather than to get out front with criticism when they don't know where the Director is going to be.

Mr. KASTENMEIER. You are also suggesting thereby that perhaps to ask the Bureau to investigate itself in this regard is not the best way we can proceed?

Mr. BASS. Not always, but in some ways it is better than what we had, because the internal checks and balance mechanisms of whether there are inspectors general or an Inspection Division within the Bureau does work, not perfectly, but they are working better than the Department of Justice review in terms of being a more reliable test.

The second point that I would make—again I think it is something the Bureau needs to work out strategically and organizationally, is the uniqueness of these terrorism investigations. Because when the Terrorism Section begins running a terrorism investigation under the FCI guidelines as opposed to the domestic security guidelines, the Terrorism Section's management is really not that experienced in implementing the FBI guidelines.

I don't think, as I understand the way the Bureau does it, that they transfer responsibility over to the Intelligence Division at that point. So you tend to wind up with a senior management that may not be as experienced as you would like to see them in trying to administer the guidelines or control the timing and duration of the investigation.

Mr. KASTENMEIER. I think those observations are very useful. As a member of the Intelligence Committee, as well as this committee, I am sensitive to what you are saying.

Only one last comment, Mr. Chairman. That is, I think you are also correct, Mr. Bass, in suggesting that this is not as bad as COINTELPRO and wiretapping and the watch list. No black bag jobs. Although we are left with the uncomfortable question of why all these break-ins throughout this country?

We have looked at it. We don't know the answer. We don't even seem to be able to get anybody in authority who can suggest an answer for something that cannot—does not I think to us appear to be pure chance in various communities, that there is rifling of files, and churches, and others interested in Central American policy or CISPES organizations.

Even in recent days, not two or three years ago, we are talking about, events that are taking place on a continuing basis, and within the last year or so. We have never been able to learn that. That is still a very perplexing question of whether these are—to whom they are attributable.

As far as I know, it is not the Bureau, but on the other hand, it appears that it must be part of something, and there has never been an adequate explanation. So we still have to sort of live with that in terms of evaluating this particular episode.

Thank you, Mr. Chairman.

Mr. EDWARDS. Thank you, Mr. Kastenmeier.

Mr. Conyers.

Mr. CONYERS. Thank you, Mr. Chairman.

I was hopeful that somebody would respond to Mr. Kastenmeier's question, because that is where I start off—with asking you whether the spirit of J. Edgar Hoover is or is not alive and well in the FBI. Because frequently the committees in Congress become, instead of oversight agencies, especially on the law enforcement

agencies and intelligence gathering agencies, we become the place where—they actually use the committee for a place to justify all of their positions. The reverse relationship builds up.

In other words, I can't help remembering that it was Judge Webster that told me that he didn't see why anybody that didn't have anything to fear would object to an FBI agent coming on the job or visiting them—visiting their neighborhoods, homes, to ask a few questions about them—if you really haven't done anything wrong.

This same subcommittee is wrestling with terrorism inside the FBI. Donald Rochon has been—here is a classic case that finally burst out of the violence that goes on with agents who refuse to make these kinds of discriminatory acts public—here we have the Hispanic FBI agents in an incredulous class action lawsuit against the FBI, alleging discrimination.

So I am a little bit nervous about whether we have stepped beyond the shadow of Hoover and yet they are still working within that shadow, maybe more than we are aware of. I would just like for us to examine what kind of an agency is this that we have where we have been going over and over all that.

The people in Michigan that were in CISPES told some chilling stories about how they were treated and the kinds of questions and the nature of the interrogation. It was not all friendly, just doing my job kind of questions. They were being held up as people to be suspected of doing something pretty heinous by their fellow citizens or else the FBI wouldn't be out there. So I would like to get some discussion going in that direction, Mr. Chairman, if I can.

Mr. BASS. Mr. Chairman, if I could respond to Congressman Conyers, I think you put your finger on a very perplexing dilemma in this whole area of who you are going to have to do what work?

The FBI is a preeminent law enforcement agency. The law enforcement mentality, to put it in childhood terms, is cops and robbers, good guys and bad guys. Law enforcement investigations tend to be confrontational. They tend to be critical. They tend to proceed from a point of view of suspicion. Presumed guilty. Hard-driving, fact-driven, specific, intrusive questions, if you will.

The intelligence agency, let's look overseas for a moment in the field. Intelligence agents' training is to do the opposite, to coy up, to be subtle, to develop friendships and relationships and trust and confidence so you don't have to ask questions. The information comes spontaneously.

And I think one of the conditions of how the investigations are done today is that by being conducted out of the Criminal Division instead of the Intelligence Division, they tend to be conducted with a cops-and-robbers mentality, which is going to tend to produce the kind of confrontation that the CISPES members in Michigan have indicated to you.

On the other hand, you get into the problem on the intelligence side which is without some sort of focus and direction—activity as opposed to speech—there can be a vacuum-cleaner mentality of the sophisticated, all-encompassing librarian who wants every bit of information in the world because information is good whether it is probative of anything or not, and I am not sure how you balance the two.

One comment I would make with respect to the discussion we have had here dealing with the criminal standard, I think we should note that in the international terrorism investigations under the FBI guidelines, there is a criminal standard. The definition of international terrorism in the unclassified portion of the guidelines is activities that involve violent acts or acts dangerous to human life, a violation of the criminal laws of the United States or any State, or that would be criminal violation if committed within the jurisdiction of the United States or any State.

[The definitions follow:]

#### INTERNATIONAL TERRORISM

Activities that:

1. Involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or any States;
2. Appear to be intended: a. to intimidate or coerce a civilian population; b. to influence the policy of a government by intimidation or coercion; or c. to affect the conduct of a government by assassination or kidnapping; and
3. Occur totally outside the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to coerce or intimidate, or the locale in which their perpetrators operate or seek asylum.

#### INTERNATIONAL TERRORIST

An individual or group that knowingly engages in international terrorism or activities in preparation thereof, or knowingly aids or abets any person engaged in such activities.

Of all the areas where this is a criminal standard, to the extent that those words mean anything in terms of limiting investigation, it is the terrorism activities because terrorism, by definition, entails acts of violence, and the only difference between terrorism and war, from a legal standard, is that war is terrorism engaged in by a nation officially acknowledged as such and therefore considered to be legal under certain concepts of international law, whereas the other is a private group and therefore illegal under international law.

Mr. HALPERIN. Mr. Conyers, let me make two comments on this, if I could. First, on the black bag job question, I am interested that Mr. Bass has said there weren't any black bag jobs. I take it he means as far as we can tell from the documents that have been released so far, otherwise I would like to hear it.

But I think it is important to note, as I am sure that you are aware, is that under the Executive Order the FBI is authorized, with the approval of the Attorney General, to conduct black bag jobs in investigations of this kind, so that if there were black bag jobs, they would not be a violation of the existing guidelines. And that is something that we have long urged Congress to put a stop to.

I want to once again urge that the committee and the Intelligence Committee look into this assertion by a succession of Presidents—again, it is a bipartisan matter—of the right to break into people's houses secretly in the middle of the night or day or their offices, and steal their papers without warrant or notice upon a finding of the Attorney General that there is probable cause to believe that they are agents of a foreign power. That is in the Execu-

tive Order, in the Carter order and in the Ford order. In the view of the American Civil Liberties Union, it violates the Fourth Amendment, and I think it is long overdue that Congress look into it.

Now, that would not make black bag jobs impossible. But it would at least make them illegal. And I think they are under the Constitution but also under the directives, so that I think there would be substantial less likelihood that they took place.

I have no reason to think any took place here, but it is important to know that if they did, well, in my view they would have violated the Constitution. In the view of three Presidents and their Attorneys General, they would be legal.

Second, on the question of the predicate as it relates to an intelligence investigation, I think that the failure here in terms of beginning an investigation was, what kind of investigation had been done?

I certainly think it is appropriate when an informant comes in and says that an organization or members of an organization are engaged in illegal activity to investigate that illegal activity. But that is what you should be investigating.

What should have been triggered, in my view, by the allegations of the informant here, assuming they were believed and should have been believed, was a criminal investigation of an alleged criminal act of violating the Neutrality Act or otherwise supplying information, and that the standard to authorize an intelligence investigation of a domestic political organization ought to be much higher than the predicate to investigate a specific allegation of illegal activity.

Mr. CONYERS. Well, would the FBI charter eliminate black bag jobs or would that have to be taken care of separately?

Mr. HALPERIN. It could be part of an FBI charter, but it is something that I don't think should wait for an FBI charter.

Mr. RICHARD. Congressman, I guess, I think Ken Bass has pointed out that the reference to criminal law was very important. It makes me think that maybe I should take back something I said.

I said that I think maybe the predicate for engaging in an investigation had been met here. Nowhere in the FBI documents that I have seen was there a reference to a criminal statute that they were investigating. I would think that would be part of the predicate that should be clearly spelled out, such as neutrality law.

And secondly, in the spirit of J. Edgar Hoover, I think those have a habit of lingering for a long time. But on the more cheery side, I would note that at least now in this case, you had a variety of opinions among the different field officers about what was going on and some of them feel free to speak up. You had New Orleans say, "Let's go get these guys, you are not giving us enough room in the field." But you had Denver saying, "Is this what we ought to be doing? Is this proper? We are getting close to the First Amendment here."

I think the Denver office deserves a lot of credit. At least now we have a couple of flowers, if not a thousand flowers, blooming inside the FBI.

Finally, part of the problem here is the relative vagueness of what support for international terrorism means as a criminal



standard. It is completely vague. As it happens, support for terrorism might mean mere advocacy.

The other problem is that what terrorism means is itself an open question. I don't want to get into a mere scholastic debate about the thousands of definitions about what it means, but I would like to say you only have two choices. Either you define it as a form of criminal activity or you define it with some reference to a political persuasion, and when you do that, as I think the current guidelines do, you open up problems about the scope of investigation immediately, particularly when you define support. So it can mean advocacy.

I would urge a more precise definition of terrorism, and I think there is probably widespread support on this panel for that.

Mr. CONYERS. And also for an FBI charter and also for eliminating the distinction between domestic and foreign terrorism? Is it fair to say there is a consensus here? Reservations now come forward or forever hold your peace.

Mr. BASS. The only reservation I would have is on the elimination of distinction between domestic and international terrorism. I would not want to see NSA and CIA become involved in domestic terrorist investigations. I do want them involved in international terrorist investigations.

I think domestic terrorist investigations, properly defined, are purely a law enforcement and not sharing any of the intelligence issues.

Mr. CONYERS. Is that an acceptable condition to impose, that everyone else agrees with?

Mr. FINN. If there are a couple more qualifications, if international terrorism can be defined as American citizens who act purely on American soil, only in domestic activities, can be defined to act in support of international terrorism, I would support it. There should be no distinction when American citizens are conducting it on American soil.

Mr. CONYERS. So I take it there is a difference here.

Mr. BASS. I am not sure. We may be back to closing the circle.

One of the issues litigated in the case had to do with whether the activities of the JDL wholly within the United States had a foreign affairs justification for warrantless wiretapping because it would affect foreign relations, and the holding of the D.C. Circuit was that was not a sufficient connection to make it international or bring it with the exception.

I think that is the same distinction that Professor Finn is alluding to. Where there is an extraterritorial involvement, that one I think you need to bring the Intelligence Community into it rather than leaving it as a law enforcement matter, but if it is entirely domestic even though it involves foreign affairs or international policy, I think it is a law enforcement problem.

Mr. CONYERS. Well, thank you very much, Mr. Chairman.

Mr. EDWARDS. Thank you, Mr. Conyers.

Mr. Richard, it seems to us for a long time that the best safeguard that the FBI has that we should continually insist upon is the criminal standard, that you leave people alone unless there is some criminal activity about to take place in violation of some Federal law. And it seems to me that should apply to international ter-

rorism as well as to domestic terrorism. It does apply to domestic terrorism generally now.

Would it leave any loopholes if we required that standard for international terrorism?

Mr. RICHARD. Well, the question that goes through my mind when I think about the question you have asked me comes from my experience on the Church Committee. You will remember that in the Church Committee investigation and the Pike Committee, too, here in the House, one of the major revelations was that the CIA had engaged in assassination activities overseas.

I remember that on the staff of the committee, we did some research at the time about whether any statute passed by Congress made it a crime for Americans to conspire and prepare in the United States to assassinate a foreign leader. And believe it or not, the answer that at that time came up was, probably not.

There were some ambiguities in the law there. There is the kind of activity that I think would be a legitimate subject for investigation. So there is an example.

I think there should be a criminal standard. There are arguments in favor of that. But we need to look at the laws in that to make sure there are no gaps. But either that or we will have to come up with some slightly different language, because there are some things like foreign assassinations that ought to be subject to investigation which may fall between the cracks in our criminal statutes when they happen overseas.

Mr. EDWARDS. But for suspected or anticipated or feared terrorism within the United States, those types of investigations, we should require the criminal standards?

Mr. RICHARD. I believe so, yes. I think that is important for a couple of reasons. Number one, Congress obviously has a role in passing criminal statutes. There is a process of give and take between the congressional and executive branches, and what emerges from that is a consensus on the form of law as to what ought not to be considered legitimate activity in our society, and that is a safeguard for the public consensus in favor of law enforcement investigations that I think must be preserved. I think it is kind of a due process. It is sort of legislative due process.

Mr. EDWARDS. Do all of the witnesses agree that that should be an important part of the FBI charter? Mr. Bass.

Mr. BASS. I think it is an important part, Mr. Chairman, but there is a role for some agencies in the United States, as Mr. Richard has indicated, to collect pure intelligence information in support of foreign activities where there is a foreign-based organization engaged in what we would recognize as terrorist activities overseas.

If you take the Moro kidnaping, which became a cause celeb among people in the Community, which said that FBI and others were chilled in assisting in finding the Moro kidnapers, because of concerns about their proper roles, et cetera, and absence of criminal predicates.

Mr. EDWARDS. That would seem to comply with the criminal standards.

Mr. BASS. It does overseas, but not necessarily if you make it a violation of U.S. law, and I think that is the—you can call it the

brilliance or the fudge factor. It defines the criminal standard as being activities that violate our law, or if they were conducted here, would violate our law. So defined, I don't think there is a problem with terrorist investigations.

Mr. EDWARDS. I am sure you know and Mr. Halperin knows that for many years, we have wished that we could write a charter for the FBI. We have even written drafts with the help of consultants from outside. And if you would see the problems we are having writing a drug bill today in Congress, you realize the hysteria that overcomes the country and the Congress, and the Constitution seems to get shredded as we move toward any kind of a charter.

So it really is very difficult, and so what we have had to do is sort of consider the Constitution our FBI charter whenever the rights of people come up.

Now, let's get back to the CISPES case for a moment. Apparently the predicate was information furnished by Mr. Varelli. I presume that is what one of the witnesses said, that the mysterious bombing—well, coincidentally there was a CISPES meeting some few miles away in Washington, DC. And a couple of other things—oh, Varelli, and he testified under oath in this subcommittee, that there were plans to interrupt the Republican convention and so forth.

It seems to me that given the fallibility of Frank Varelli, to think that he was an employee, getting taxpayers' money for several years and listened to by the FBI is a strong argument for a provision in the charter for much better management requirements and a paper trail. There apparently were very few management requirements in CISPES. They didn't have to file different reports, and then there wasn't an inspector general or somebody to say, "That is enough."

You are fooling around with 100 different organizations, none of which is a criminal organization. You haven't found anybody doing anything particularly wrong except lawful, political activities or humanitarian activities. Yet, at the same time, a lot of people got hurt.

So let's not think that CISPES was as innocent as that. And there was definite chilling of First Amendment rights in the investigation.

I think Mr. Conyers pointed out that people were visited in their homes and in their offices, and the badge was flashed and said, "I am investigating your employee Joe Smith. Can I talk to him?" Now, if that is not chilling, I don't know what is, and going to a parade or a meeting and taking pictures of a parade is chilling, too. If I take a parade, I don't want somebody to take my picture. I am protected. And go back to some police file.

I think some of you are presently in a tussle with the FBI sending agents into public libraries and seeing what kind of books certain people are reading and instructing or asking the librarians to snitch on them. Now, chilling? Think how important libraries are to our country, and to think that a police agency is frightening people by sending agents in to spy on them and see what they are reading, and then report back.

So what I am getting around to is that if the charter did provide something about a criminal standard, and I think that Mr. Bass'

addition to what I described, would be very valuable, but also provide management requirements, paper trails so that something could be done in these cases, that you pass point A and go into point B and so forth.

Mr. Halperin, what would you think of that?

Mr. HALPERIN. I think it is essential. The problem—I understand the problems of passing a charter and I don't mean to minimize it—the problem with relying on the Constitution is partly that what we mean by that, of course, is the way the Constitution is interpreted by the Supreme Court, and the current Supreme Court has not been, in our view, sensitive to First Amendment rights and the chilling effect of various kinds of actions.

And the second is that it is very hard for the courts to insist upon procedural safeguards as an element to the Constitution. Judges, I think, are quite understandably reluctant to intrude themselves into the management of the FBI, and to say that the Constitution requires a six-month review of this process or a written finding based on reasonable suspicion or whatever.

I think that, if I may say so, what Congress gets paid to do in our system is precisely to take the political heat and to assume the constitutional responsibility to say that these are the kinds of procedural limits and procedural safeguards which are necessary to implement the intentions and purposes of the Constitution, and particularly of the First Amendment.

Mr. EDWARDS. Well, should there not be also something in the charter that came to light in the CISPES matter to protect Americans from file information? When Mr. Revell spoke in defense of the CISPES investigation before the Senate Intelligence Committee, he brought out a whole list of previously unreported file information. Let me describe them as rumor and gossip and things that people were said to have said about individuals connected with CISPES that never in the whole world should have been brought out to the public. They must have been very damaging to the individuals and organizations that Mr. Revell described in his testimony.

I remember once a number of years ago, Judge Webster testified before this subcommittee and somebody asked him about terrorist organizations, and he said, "Well, we are investigating so and so," and he named three motorcycle gangs. And I asked him, "Judge Webster, are you sure you should have said that?" And he said, "No, of course I shouldn't have said that. These organizations, how do I know they are criminal? If they are, then we will get an indictment and take them to court. But," he said, "I have no business saying that in public hearings."

And yet this is one of the things that happened in CISPES. Many people and organizations were badly hurt, and that is something we don't want to go on.

You might say also that Frank Varelli, although he was terribly unreliable and switched his story here, but he was gospel to the Bureau for too long a time, did swear here under oath that the FBI had engaged in two break-ins of CISPES offices in Dallas, and the FBI investigated that. We asked them to, and they categorically denied that the FBI had been involved in two break-ins. But that is the kind of information that we got.

Mr. Kastenmeier, do you have any further questions?

Mr. KASTENMEIER. No, other than to observe, Mr. Chairman, I suppose we should in a sense put this hearing and hearings like it in the political context.

I am not sure that, this being June 1988, we are going to produce a statute this year either in terms of reconciling terrorist investigations and the guidelines and so forth, or whether we can agree upon a charter this year. But I think these hearings are very important because, if not realizable in 1988, they should at this juncture in the political life of our country at least serve as some interest to both the political parties and their Presidential candidates, and I say both of them, in terms of possibly their platforms or task forces or whatnot, as being important for the agenda for 1989 and the new administration which will come into power, whichever it may be.

I think it is in that context particularly that this hearing and these recommendations to us are important indeed.

Mr. EDWARDS. Mr. Conyers.

Mr. CONYERS. Well, in that connection, I echo my colleague's observations. These hearings are taking place almost in a vacuum. It will take almost eight months for the hearings to be printed.

I can't help but wonder where all of our media friends are today. Here is something that I would really like the American people to know about, not because I am on the subcommittee but because this is an incredibly important part of government that rarely gets its just due. It gets a headline or two when CISPES stories break, but after that it dribbles off into very small print, if any print at all.

My feeling is that if there was some way that we could make this debate more public and more national, we would be able to do what Mr. Halperin says we are paid to do, and that is to set policy. The danger about advancing your policy, though, is that other people also advance their policies. And what we found out, as has been suggested here, we get into an almost hysterical kind of debate that is far removed from reality, not reflecting much credit upon the national legislative body either, as far as I am concerned.

But it seems to me that these kinds of discussions would lead more Americans to become aware of the validity of the three or four proposals that I have heard in this short hearing, and that it would be very important.

I must commend the American Civil Liberties Union, which I have been working with for many years, for their interest and determination to make these matters public. They worked in a very important way in bringing this discussion to as many public forums as possible and to any of the other organizations that have done the same. I think that is a very important part of this entire process.

Thank you, Mr. Chairman.

Mr. EDWARDS. I say amen to that. And I am thinking very seriously that perhaps early next year, regardless of who is elected President, we should take another quick look, with the help of experts such as this, and write the beginnings of a charter anyway.

Some of the things which I suggested would be a big help even if they would not be the ultimate. There are some things that we

couldn't get by and would get distorted in the legislative process and we would end up with something we didn't want, which is much worse, a lot of licensing of activity that should not be licensed in a police organization.

Would anyone care to comment on the few things that we have been talking about?

Mr. HALPERIN. Let me say a good word for the Bureau, if I might. I think it is important to remember that the FBI leadership had endorsed a charter, and that there were very serious discussions, as suggested, that went on during the four-year period prior to 1981, which almost reached agreement on a charter.

Those discussions terminated, as I understand it, not because the Bureau had changed its position, but because it was instructed not to continue those negotiations. I have seen nothing to suggest that that fundamental view has changed in the Bureau.

I think that it recognizes that a legislative charter gives it protection against excesses from the White House or the Congress. I take Ken Bass's point that this is not simply something that comes from other parts of the Executive Branch, but that there is pressure from parts of the Congress as well.

But I think it is also clear that given congressional suasion, that a charter does require cooperation between the Executive Branch and the Legislative Branch, and I would hope that Congress would seek to persuade the next administration, whichever one it is, that an FBI charter is in everyone's interest and that we begin to move again on that process on an urgent basis.

Mr. DEMPSEY. Going back to the question of who makes the determination as to which foreign groups will be designated as terrorist organizations, should that determination—the determination by an entity other than the FBI that a group is or is not terrorist—should that have consequences for which domestic groups are investigated or how they are investigated?

I would pose that question to all the members of the panel. Should investigative decisions turn on a determination to call one group or another a terrorist group?

Mr. RICHARD. I think the concern that is behind that question is a legitimate one. There shouldn't be investigations to suit the political complexion of a particular administration. There is a window there for that to happen. But in terms of defining, let's face it, it is very difficult to say who is a terrorist. One man's terrorist is another man's freedom fighter.

When it comes to domestic, purely domestic investigations, I think it would be not all that difficult to reach a consensus. If you are setting off bombs, it doesn't matter what your cause is; if you are doing it for a political purpose, you are not supposed to.

I would hope that the same general attitude would be in the international arena. I would think that we would not want U.S. citizens willy-nilly supplying military aid. That is something that is a government responsibility. So I would hope there would be little turnover there.

I cannot give you a specific suggestion as to how to protect the process from political manipulation except that I think that the overall bias on behalf of everyone in the government should be to

regard any military aid by a domestic group to a foreign faction as highly questionable.

Mr. BASS. I am not much of a believer in labels or pigeonholes. I don't think it makes much difference which guidelines you apply or what label you hang on a particular subject of an investigation, because the world just doesn't divide up, at least for me, into that quite a set of bright line characteristics. I think you have to be sensitive to the competing interests in these investigations, and make sure whatever structures you put in place cause responsible people to think twice before engaging in intrusive techniques.

Let me expand for a bit. There is an assumption I think in much of what has been said about the CISPES investigation, that had it been run under the so-called Smith guidelines, the domestic security guidelines, it would not have run as far as fast or as widespread. I am not sure of that.

I have not worked at all under the Smith guidelines, but I did work under the predecessor guidelines, the Levi guidelines, as modified by Judge Bell. And there were some fairly long, fruitless, pointless, in my view, investigations that were run under those guidelines, including some of which I had responsibility for continuing the investigation. And what tended to happen was that you began to get into one of these dialogues where somebody finally says, "We have done it long enough. It is a dry hole. Stop it." But there was nothing in the Levi guidelines or the Carter administration that would have put a break to this investigation any earlier than came about here.

I just haven't worked with the new guidelines well enough or seen the full file well enough to know if it had been run under other guidelines, that it would have been stopped earlier. I think that is somewhat responsive to the question as to whether the decision has to do with checking the excesses.

Mr. FINN. It doesn't seem to me that there is any point to a definition. We need to focus on the activity, whether it is criminal or not.

The minute you do give it a label called terrorism, you run the risk that you will get expansive investigations which could not be called criminal. I am in favor of dropping the word altogether.

Mr. HALPERIN. I think I am sympathetic to that. In fact, as I understand the definition, which really comes out of the Foreign Intelligence Surveillance Act, you really are talking about violent acts which are illegal or would be illegal if conducted in the United States, conducted for a political purpose.

The reason you want that conjunction that you have in that kind of a situation, both an illegal act that justifies an investigation and political activity going along with it, which requires more careful investigation and more supervision and more techniques than you have if the surveillance is for purely criminal purposes of extortion and so on.

So that is why you want more than the simple thing—if people throw bombs, it is all right to investigate them. You want to say, if you think people are throwing bombs for political reasons, you are inevitably going to be looking at the political context and their military activity as well, and therefore you do need more restrictions on how the investigation is conducted.

But I think that you also don't want to be in a situation certainly where the administrations of the day or anybody else's view of the legitimacy of the violence affects whether or not an investigation is conducted or how it is conducted. We want the same investigation of Americans helping contras, of Americans helping the opposition groups in El Salvador. And we don't want a debate in the United States about whether what the IRA is doing in Northern Ireland is legitimate and to have that determine whether we investigate activities in the United States to provide bombs to people throwing those bombs in Iowa.

As far as the investigations which go on in the United States are concerned, I do think they have to be based on an objective definition of whether there is violent activity being supported, and I agree that the use of the word "terrorism" gets in the way of that since we tend to use terrorists, for those who use violence that we don't like rather than as a generic term.

Mr. RICHARD. One further comment. I always hesitate to bring up a foreign policy point with Halperin in the room because I can't compete with his expertise, but there might be circumstances where the U.S. Government was aware that a U.S. group was sending arms to a particular foreign faction and thought it was in the interest of the United States for that to happen.

There might be cases where they would not want to interfere with that.

Mr. CONYERS. What kind of an example? For example, to me that is unimaginable. I don't know how you could imagine it.

Mr. HALPERIN. Try the ANC.

Mr. CONYERS. I tried the ANC. The movement, the furthest we could get there was to introduce a bill, which got nowhere, that described them as freedom fighters, and deserving of the support, which is quite a distance from citizens sending weapons to them directly.

Mr. HALPERIN. Let me make a comment, if I may, because I was too quickly facetious about that.

I think the answer to Eric's question is no, because I think the provision of aid to groups abroad engaged in violent activity, if it is done from the United States, ought to be done by the American government in order to be done pursuant to legislation passed by the Congress. And the danger with the private groups is that it becomes a way to get around congressional restrictions and that is exactly what we saw in the Iran-Contra case.

I don't see any way to avoid that as a matter of principle, if we decide as a nation that we want to help the contras or the FMLN or the ANC. We ought to, in my view, be open and public about the decision to support them and ought to require that it be approved in advance by overt congressional legislation.

I think Mr. Stern wants to make a point.

Mr. STERN. I want to say, I think the one distinction there maybe between the domestic security guidelines and the FCI guidelines is the enterprise standard in the sense that in a domestic security investigation, you are investigating, even if it is a group, it has to be a group, all of the members have some part and have some knowledge of the illegal activities that are being conducted.



Therefore, it would allow the Bureau to investigate a political group even when it admits, as it did in this case, that most of the members of CISPES were not involved in illegal activities. I think that is where it is important to get to not only a criminal standard, but an enterprise standard so that you only investigate those individuals involved that are suspected of illegal activity and not the whole group.

Mr. RICHARD. I think there is one other way in which the Smith guidelines would have made a difference here. Under the provision 4(b), it could have been authorized for 180 days and would have had to be renewed and approved by the director or assistant director. So I think the impact would have been a higher level attention within the FBI as to what was happening here.

Mr. SLOBODIN. Thank you very much, Mr. Chairman.

I had a question for either Dr. Halperin or Mr. Stern on your report here on the CISPES probe. The documents from the FBI file, was that all the documents, the 1,200 documents that were made public, or were you consulting the 50 documents that were distributed by the Center for Constitutional Rights?

Mr. STERN. This report is based on all the documents released under the Freedom of Information Act, the 1,200 or 1,300 pages.

Mr. SLOBODIN. You say in your statement that these public documents constitute one-third of all the headquarter's files. Consequently, this report pieces together information from other FBI sources, public statements and reports by FBI officials, in order to assemble the most complete picture possible from public sources.

When you say the other FBI sources, what are you referring to there?

Mr. STERN. It was testimony by Revell, the press conferences by Sessions and Revell as well as other quoted statements in the media.

Mr. SLOBODIN. Would you be willing to make the same kind of disclaimer that Mr. Bass made where he said parts of the CISPES file have been available under FOIA and he emphasized he had not seen the classified part of the file and therefore could not comment on a fully informed basis?

Mr. STERN. The report makes clear that this, as you just read, all of this is based only on the publicly available information. And to that degree, I guess you would say it is tentative to what we know now, and throughout the report, we say, as appears and from what we know, based on this information.

Mr. HALPERIN. If I could add to that, we have been pressing the Bureau to release what we consider to be the two critical documents which were the initial memos written at the time of the authorization, and we intend to file an FOIA lawsuit for those documents because we think they are the critical documents.

They reveal what the Bureau knew before it started the investigation and what it told itself at the time it was starting the investigation was the predicate. It is those documents that we think are the right basis to decide whether there as a sufficient predicate. And we hope that the Bureau will release the documents.

Mr. SLOBODIN. When did the Center decide to release this report or wait, or why did it decide to finish its report and disclose it now as opposed to waiting until the FBI completes its internal review,

which I understand is at the director level and should be closed pretty soon—I think in the next couple of weeks.

Mr. HALPERIN. We did that in part in response to these hearings and in part in response to a number of questions we have gotten from our own members, from others as to our assessment of it. We did give some initial general assessment when the documents came out, but we thought it was important to look carefully at all the documents available.

We tried to persuade the Bureau to release the other two documents. We will do another assessment when, if additional materials come out, and certainly if any of those materials lead us to change our assessment so that we are either more critical or more supportive of the Bureau action, we will make that clear.

Mr. STERN. The Bureau had said their report would be out in May, I think mid to late May. So we are waiting on that for a while, but after they delayed it another month, we had already completed the study and felt it was important to get it out as it stood.

Mr. SLOBODIN. Okay. Outside of the CISPES probe, has the Center looked at some of the other antiterrorism cases?

Let me kind of break this down into categories here. There was an article in the Washington Times shortly after the documents, the FOIA requests on the CISPES matter were made public. Several groups that were supporting or aiding the Nicaraguan resistance were under FBI investigations.

I won't go through the list of the groups, but has the ACLU or the Center for National Security Studies taken a look at those investigations to see if they have the same kind of problems as in CISPES?

Mr. HALPERIN. To the extent that the documentation is available. As we understand it, those investigations were conducted as criminal investigations rather than counterterrorism investigations and in some cases, of course, apparently may lead to indictments, but they were conducted as investigations focused on alleged criminal activity.

Our view is that is the way this investigation should have been conducted as well.

Mr. SLOBODIN. Would you say, would you agree with the statement that the Bureau is politically motivated, that the anti-left liberal is justified? In light of the CISPES probe, can you say that?

Mr. HALPERIN. It certainly raises the question which we raised, and we would welcome an answer to.

As to why the Nicaraguan investigations were conducted as criminal investigations, while the CISPES investigation was conducted as a counterterrorism investigation, certainly one possible explanation is the different attitudes within the administration as to those two activities. There may be others and we have not reached any judgment about it. But I think it does raise questions that one ought to be concerned about.

Mr. STERN. I think it is clear in categorizing the Bureau as politically motivated, in one way or another, you have to distinguish among all the different field officers, and I think Mr. Richard pointed out and it is clear from reading the documents that various field officers reacted in different ways; from one extreme to some

saying "we want to investigate as much as we can in any kind of activities," but other officers clearly showing restraint, concern and real cautiousness about this type of thing and coming back to headquarters for supervision.

I think part of the problem that we tried to point out in this report is that some of the supervision was lacking in response to the field officer's request.

Mr. SLOBODIN. That is a good point, but I was looking more at the FBI headquarters since I think those kinds of statements were referring to that office.

Let me talk about the rest of the antiterrorism program, the cases that were proceeding under the FCI guidelines. Has the ACLU and the Center looked at these other cases to see if there is—I guess what I am getting at is is the CISPES case representative of the quality of the FBI's work in antiterrorism over the same time frame?

Mr. HALPERIN. I don't think it is representative. I think, as far as we know, it is an aberration.

We have tried to follow these investigations. It is not easy to do so because in most cases, almost no material is made public. We have sought material ourselves and urged the committees to do so.

I think the fact is that most of these investigations, as far as we can tell, have been focused on groups that were actually blowing up buildings and attempting to physically harm people in violation of the laws, and the material relating to that is seldom made public and I think is often properly classified, so it is hard to get much data about that.

But the Bureau has testified from time to time as to completed foreign intelligence and counterintelligence, terrorism investigations, and as far as we have been able to tell, in other cases they have been legitimate investigations which have prevented terrorist acts within the United States.

So the conclusion we draw is one in which the investigations always draw, is that the problem is to focus on real threats of violent activity, and the thing to avoid is the temptation to do what is much easier to do, go to political rallies and take down information rather than finding out whether there is a group planning to blow up a building.

Our view is that, as Bureau directors have testified and attorneys general have testified, is that the Bureau does a much better job when it is not pressured from outside or from inside to use its resources in chasing First Amendment activity when it uses its resources to focus on terrorism. Our view has been and remains, notwithstanding this one episode, that by and large, the Bureau has in fact in the terrorism area done that.

Mr. SLOBODIN. Do you think there is a valid distinction in—well, let me rephrase that.

Would it be valid to distinguish the CISPES case as a terrorism investigation from other types of terrorism investigations because of the nature of the organization? Normally when you are looking at terrorism, you are looking at single-cell organizations or a small group of individuals, and here we are dealing with, or arguably dealing with, the FBI is claiming, you are dealing with a large organization with 80 chapters around the country and that there are

some individuals within that organization that are suspected of aiding terrorism activity outside of the United States.

Isn't that also, what you say, also atypical of other types of anti-terror investigations? Would anyone else on the panel like to comment on that?

Mr. HALPERIN. Well, you know there have been some suggestions of similar allegations relating to groups supporting Puerto Rican independence, and as far as I can tell, the Bureau in recent years has focused on terrorist groups, insofar as there are any, rather than the whole movement for Puerto Rican independence.

But it raises the problem, and that is the kind of problem that Congress has a responsibility for dealing with. Nobody wants to be the person to close down an investigation the day before a building blows up, and that is what is obviously going on here when the hot potato is being tossed around; nobody wants to be the person that ordered the investigation closed down just before something terrible happens.

I think in this kind of a situation the problem is harder. It may be harder to ferret out the terrorist acts, but you would get violations of people's First Amendment right, which is what happened here. But that doesn't justify what happened. It underlies the importance of a situation like this where you have a large political movement and allegations that it is being used as a cover for terrorist activity.

Mr. SLOBODIN. What would you say the First Amendment violations were in the CISPES case?

Mr. HALPERIN. I should explain that I am talking about the ACLU's view of the First Amendment and not necessarily the Supreme Court's view, although the cases are not as bad as were suggested in the beginning. But in our view, the government attending political meetings and taking down political information—I think there were clear violations of the Privacy Act. That prohibits the maintenance of files like that.

But I think, in general, it is our view, and I think there is some support for it in case law, that investigating lawful political activities, gathering information about that lawful political activity is incompatible with the First Amendment, and I think there were acts here of that kind.

Mr. SLOBODIN. Thank you.

Let me just have one last question here on this distinction again, or eradicating the distinction between international versus domestic terrorism.

The guidelines, I wanted to read just a very brief excerpt from an opinion dealing with an antiterrorism case from the District Court in the District of California. It was quoting from another District Court case. It says:

No one can gainsay that obtaining foreign intelligence relating to international terrorism is a legitimate objective of the Executive's constitutional authority to conduct policy. Indeed, to the extent that Article 6 of the Constitution makes treaties the supreme law of the land, the United States is obligated to combat international terrorism under the multilateral treaty obligations it assumed as a member of the Organization of American States and the United Nations.

A question to the panel is, wouldn't treaties make a difference? Should we take that into account before we decide if we want to eradicate the difference between how to proceed?

Mr. FINN. Your interpretation of Article 6 is unquestionable.

Mr. SLOBODIN. It is not my interpretation.

Mr. FINN. It is absolutely a correct interpretation, but it seems fairly clear that it is hard to see how that interpretation matters in conducting a domestic investigation. Call it international or domestic, what difference does it make? What standards are you going to use and what standards are you going to use to limit the scope of an investigation and to decide when it would be terminated?

That is where you have to come up with a plausible reason why there should be a distinction between domestic terrorism and international terrorism. It is difficult. But are there any differences that matter for conducting an investigation in the United States? I can't see any.

Mr. SLOBODIN. Let me rephrase the question. Is it your position that you don't believe from what you know that there are any treaties out there that would impose any additional investigative obligations other than what you have in domestic terrorism situations?

Mr. FINN. Without having researched this, I doubt that that is the case. I think it is probably not the way I would have put the question.

The question is, are there any treaties out there that would urge us that they adopt standards that are less stringent than they would use for domestic terrorist investigations, and I cannot imagine that that would be the case.

Mr. BASS. This may be a bit repetitive. Let me give you an example.

I think under a working definition, the Ku Klux Klan is a terrorist organization. Certainly when it has been active, and it is certainly a legitimate targets for FBI investigation and should be investigated. And bombings, whether they are persons or properties, by the Ku Klux Klan should be the subject of prevention and prosecution. But I think it would be a mistake to lump the Ku Klux Klan in with the Red Guard, because as far as I know, there is no evidence of Ku Klux Klan direction or control or planning activities extending transnationally.

I do not want us to make the definitions so one-sided that we open up to Klan-type investigations all of the resources of the national Intelligence Community. I think that would take us back to the days we tried to get away from.

At the same time, in the Red Guard case, or the Armenian terrorists that have been successfully prosecuted in a number of cases, you have to rely on full national resources and national intelligence sources to conduct the investigation effectively.

Mr. SLOBODIN. Just one last Monday morning quarterbacking question.

Anybody want to give an opinion as to when they think the CISPES investigation—the second one—should have been terminated?

Mr. STERN. I think it didn't take long for a large number of the field offices to report back that they are finding nothing in their files and in their indices checks. That was by early 1984.

After the first year—when the FBI conducted and completed the 60 page LHM cataloging every kind of public activity of CISPES, with all numbers, names, and offices, somebody should have stepped in and looked at it and said what is this getting us and what is this doing for a terrorism investigation?

I don't think it got them anything, or had any real apparent purpose in combating terrorism and probably should have been cut off at least by then, if not before.

Mr. BASS. I will take an even wilder stab, which has nothing to do with the facts of CISPES, because as I said, I haven't seen them. From general experience, which in my case was four years, the investigations that are shut down tend to be shut down one to two years after—in hindsight—they should have been.

The reason for that is largely bureaucratic inertia. The ones that I saw that gave me problems—and they are generally domestic security cases—they would give you problems, and then we talk to the Bureau liaison agent and he would say, yes, they're giving us some problems, too, but as Mort suggested earlier, we don't want to shut it down now because we may be on the verge of doing something.

So you tend to, at least the first annual review that produces troubling signs is a blinking yellow light, and the red light doesn't come under the way it is structured for at least another year.

Mr. EDWARDS. Isn't that a good reason for a statutory review process to require steps to be taken?

Mr. BASS. Congressman, I am frankly not sure whether it makes a difference whether it is statutory or regulatory except for the consensus point, which I think is important. I think what is more important is internal higher level reviews, more frequently.

Mr. EDWARDS. But that depends on the people. The Levi guidelines were weakened first by Griffin Bell, and then William French Smith, and the next Attorney General, whoever he might be, might wipe them out completely.

Mr. BASS. That is possible, and certainly the permanence of a charter I endorse as being desirable. But unless that charter puts in it some type of more frequent higher level internal reviews in the bureaucracy than the annual reviews, it really isn't going to do much.

The 180-day reviews of the domestic security guidelines are better.

Mr. CONYERS. Mr. Chairman, Mr. Bass' reference to the Klan as a terrorist organization and how they may be investigated differently from the Red Guard, raises for me a question that we can't leave, at least without mentioning this for the record: One of the most embarrassing parts of the FBI is that the Klan is very, very poorly investigated, very little investigation.

Most of the success is coming from civil rights groups and civil libertarian groups, and I am completely at a loss to say that, because the Red Guard may be international and the Klan is domestic, that we should be satisfied that there would be differences in the investigation. Here is a problem of historical importance—oppression of American citizens, violations of their constitutional rights ad nauseum.

Some suggest now that the Skinheads and the Klan are at least in contact with each other—according to today's New York Times article on the Skinheads, that now show them in contact with at least certain leadership within the Klan—again raises to me the discussion that we began with about whether we are dealing with a new FBI or the same old FBI.

We could probably hold quite extensive hearings on how we are doing with international terrorism, beginning with the Klan. Of course, we know that there are many other organizations out there. So, I just feel that we should not just hypothetically treat the Klan and the Red Guard distinction, but somebody like myself should weigh in on the fact we haven't done much of a job in terms of investigating and prosecuting the Klan's historically illegal activity.

Mr. EDWARDS. Thank you very much. You have been very helpful. We are going to push the resolution of some of these matters along a good way. We are grateful for your splendid testimony.

[Whereupon, at 3:35 p.m., the subcommittee adjourned, to reconvene subject to the call of the Chair.]





## CISPES AND FBI COUNTERTERRORISM INVESTIGATIONS

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FRIDAY, SEPTEMBER 16, 1988

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS,  
COMMITTEE ON THE JUDICIARY,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 9:55 a.m., in room 2237, Rayburn House Office Building, Hon. Don Edwards (chairman of the subcommittee) presiding.

Present: Representatives Edwards, Kastenmeier, Conyers, Sensenbrenner, and DeWine.

Staff present: James X. Dempsey, assistant counsel; and Alan Slobodin, associate counsel.

Mr. EDWARDS. The subcommittee will come to order.

Mr. SENSENBRENNER. Mr. Chairman, I ask unanimous consent that the Subcommittee on Civil and Constitutional Rights of the House Committee on Judiciary permit the broadcast and telecast of this hearing pursuant to committee rules.

Mr. EDWARDS. Without objection, so ordered.

The subcommittee is pleased to welcome the Director of the FBI, the Hon. William Sessions, to testify on the FBI CISPES investigation.

This case has been of longstanding concern to the subcommittee, going back to 1985. Our current concern was triggered by the release of documents early this year, which indicated an investigation of far broader scope than we had been led to believe. Director Sessions ordered an internal review—the third one, I might note—and is here today to describe his actions in response to that internal review.

The FBI can have an effective counterterrorism program that does not involve any infringement on First Amendment rights. There is no irreconcilable conflict between law enforcement and civil liberties. It should be clear to everybody that peaceful dissent and civil disobedience are no indication of a propensity to violence. Peaceful dissent is irrelevant to the FBI's efforts to identify terrorists.

The issue is not whether the FBI has the authority to "get there before the bomb goes off." They do. The question is how the FBI can best identify the groups or individuals that are planning to plant the bombs or carry out other acts of violence. The CISPES case is a perfect example of how not to do it.

The FBI should focus exclusively on criminal activity in its international terrorism cases. This criminal standard is the only clear, objective limit on the scope of FBI investigations and the only reliable protection for the rights of Americans.

Since 1976, the FBI has operated under the criminal standard in addressing domestic terrorism, and has been highly successful. Investigating crimes is what the Bureau does best. The CISPES case suggests that the FBI needs the clarity offered by the criminal standard in its international terrorism cases as well.

I am pleased that the Director has been so forthcoming in admitting the serious problems in the CISPES case and that he has adopted some important reforms. As he indicates in his prepared statement, there are some important issues that remain to be addressed, and we expect to work closely with the FBI over the next months on these issues.

Mr. Sensenbrenner.

Mr. SENSENBRENNER. Thank you very much, Mr. Chairman.

Although there were mistakes in the CISPES investigation, I think it is important to put the CISPES case into perspective so we do not damage our successful counterterrorism program. The CISPES case merely represents only one of about 200 antiterrorism cases conducted during the same time frame.

In comparing the CISPES investigation with other concurrent investigations, Mort Halperin of the ACLU admitted at a June hearing on this matter that as far as he knew, the CISPES probe was "an aberration."

In addition, the following points need to be made. First, there is no evidence of violation of constitutional rights. Second, there is no evidence of outside influence. And third, there is no evidence that the Bureau was going only after foes of the Reagan administration.

Finally, some of the FBI's critics are guilty of the same mistakes as the Bureau. The basic problem of the CISPES probe was the FBI's failure to adequately check the background of informant Frank Varelli.

It should be pointed out that the Center for Constitutional Rights, the FBI's principal critic in the CISPES probe, swallowed Frank Varelli hook, line and sinker as a reliable witness when it served their political purposes.

In February 1987, hearings before the subcommittee, the Center virtually paraded Frank Varelli as their star witness to buttress their claim that the FBI was involved in illegal break-ins. It was only after questioning and documentation provided by this Member that Varelli's unreliability was publicly revealed.

Indeed, it is ironic that shortly after that hearing, Varelli, according to the Washington Post Magazine, became employed by the International Center for Development Policy—an FBI critic and a group opposed to Central American policies. It seems that the Bureau does not have a monopoly on bad judgment in this instance.

It must also be made clear that CISPES is not the Boy Scouts. According to available information, CISPES was established with the assistance of the American Communist Party, the U.S. Peace Council and the Salvadoran Communist Party.

According to its own literature, CISPES aims to promote support to the FMLN, which are the guerrillas attempting to overthrow the democratically elected government of El Salvador. The FMLN is composed of several guerrilla groups and has engaged in terrorist acts of bombings, kidnappings, assaults and assassinations.

The FMLN took credit for the assassination of one of our military advisers in San Salvador, Albert Schaufelberger, and has plans to eliminate other military people in that country.

I fervently hope, Judge Sessions, that the actions you are taking do not mean that the rules for predication and future investigations of CISPES or other individuals in CISPES have changed.

The FBI has already given the Institute for Policy Studies blanket immunity from investigation. Just because mistakes were made does not mean de facto immunity from investigation for future terrorist activity.

[Mrs. Schroeder, a member of the subcommittee, asked that the following statement be inserted in the record:]

Mrs. SCHROEDER. I wish to thank Director Sessions for joining us today and detailing the results of his investigation into the methods used in the CISPES case. I would also like to compliment the Director for the difficult steps he has taken to address problems raised in the CISPES case.

It is important to emphasize in the handling of terrorism and FBI investigations the difference between investigating criminal activity and investigating political activities. Directives to FBI staff up and down the line must be crystal clear on this point. Gray zones of interpretation should be avoided, gray zones that can be influenced by political winds.

This case suggests that there was a bias in the FBI—not a conscious one, not one that came in a directive or telephone call from the White House. However, FBI agents read the papers and listen to the President's speeches, just as the rest of us do, and they knew in 1981 that this administration was focusing on specific themes in its Central American policy.

The fact that some agents so readily reverted to discredited practices and a discredited mindset show that the lessons of the 1970s were never institutionalized. An informant like Varelli cannot lead the FBI around by the nose. He was telling the FBI things it was predisposed to hear. Nor was this an aberration. Offices all across the country participated in this case: in the campus surveillance, in monitoring demonstrations, and so on. The boundaries defining criminal activity were ignored. The Bureau's critical faculties didn't work in this case because the lessons of the past were never internalized.

That is your challenge, Director Sessions, to institutionalize and internalize the principle that dissent is not a crime.

I am troubled that although Headquarters kept sending out memos in the CISPES case saying "stay away from First Amendment rights," "don't monitor political activities," field offices continued to monitor political activities and to report on them.

Two weeks after Headquarters sent out a memo stating "political activities or political lobbying are not, repeat not, targets of this investigation, and should not be monitored," the Denver office sent Headquarters a memo stating "in spite of attempts by the Bureau to clarify guidelines and goals for this investigation, the field is still not sure of how much seemingly legitimate political activity can be monitored."

"Seemingly legitimate political activity"?

Unless agents are told to focus on criminal activity, how will they know what to do?

Mr. EDWARDS. The Director has with him at the witness table Deputy Assistant Director Carroll Toohey of the Inspections Division, who directed the team of inspectors who did such an excellent job of setting out the facts in this matter.

We appreciate all the hard work that went into this and, Director Sessions, that extends to the other officials here with you today. We also welcome them.

Mr. SESSIONS. Thank you.

Mr. EDWARDS. Judge Sessions, do you solemnly swear or affirm the testimony you are about to give is the truth, the whole truth and nothing but the truth?

Mr. SESSIONS. I do.

Mr. EDWARDS. And, Mr. Toohey, the same?

Mr. TOOHEY. I do.

Mr. EDWARDS. Welcome. Glad to have you and you may proceed with your statement.

**TESTIMONY OF HON. WILLIAM SESSIONS, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION, ACCOMPANIED BY D. CAROLL TOOHEY, DEPUTY ASSISTANT DIRECTOR, INSPECTION DIVISION**

Mr. SESSIONS. It is a pleasure to be here and I appreciate the chairman's recognition of Mr. Toohey who is with me here today, who handled for me and the Inspection Division the very careful examination that you referred to.

I would also be very remiss if I didn't tell the Chairman how grateful I am for the activities of your staff and the helpfulness they have given to the FBI, and for your willingness to allow us to testify on this occasion as opposed to an earlier occasion when I was not yet prepared to testify concerning the full report. So it has been very helpful to me and I am grateful for that, sir.

I am here today at your invitation to discuss the FBI's investigation of CISPES, the Committee in Solidarity with the People of El Salvador.

CISPES, a group headquartered in Washington, DC, with branches throughout much of the United States, first became the subject of an FBI investigation in September 1981. At that time, the Department of Justice asked the Bureau to determine whether CISPES was in compliance with the provisions of the Foreign Agents Registration Act. This legislation, as you know, requires that persons acting in the United States on behalf of foreign governments or entities register with the U.S. Government.

Although it was established at that time that CISPES published literature endorsing the objectives of two organizations known to be Salvadoran terrorist groups—that is, the Salvadoran Democratic Revolutionary Front, the FDR, and the Farabundo Marti National Liberation Front, the FMLN—no violation of the Foreign Agents Registration Act was discovered, and this limited investigation was completed three months later in December 1981.

Subsequently, in March 1983, based upon information furnished by the Dallas field office of the FBI, the terrorism section of the Bureau's Criminal Investigative Division at FBI headquarters in Washington authorized the opening of a new investigation of CISPES to determine the extent to which its prior endorsement of the foreign terrorist organizations had become active financial or other support. This investigation was also intended to determine the extent of any control of CISPES by the FDR or the FMLN and to determine whether CISPES was planning terrorist activities in the United States.

The information furnished by the Dallas field office came from several sources. Chief among them was a Central American expatriate named Frank Varelli. Mr. Varelli had become an FBI asset, a term meaning intelligence source, in 1981.

As is customary, he was assigned to a special agent in the Dallas office for monitoring and operating. Varelli alleged that CISPES was under the direction of the previously mentioned foreign terrorist organizations, that CISPES was providing financial support to those organizations, and that CISPES was preparing for terrorist activities in the United States.

The information Varelli gave to his case agent in Dallas was in turn given to that agent's supervisors in Dallas for review. It was eventually passed along to the operational desk of the terrorism section in Washington, DC, where the investigation was opened and from which the investigation was coordinated for all of its 27-month duration.

Although CISPES was located in the United States, the investigation was classified as an international terrorism investigation because the question of whether the group supported foreign terrorist activities, or was in turn supported by foreign terrorists, was the major focus of the investigation.

For much of 1983 the investigation was narrowly focused. It concentrated on CISPES headquarters in Washington, on its Dallas chapter, and on a handful of other branch chapters. The major turning point in the investigation came in October 1983, when the terrorism section of the Criminal Investigative Division at FBI headquarters sent a teletype seeking additional investigative support in the CISPES investigation from every field office in the FBI, thereby effectively making the scope of the investigation nationwide.

The then approximately 180 CISPES chapters throughout the United States thus became subject to investigation, and over the next 18 months numerous other investigations arising out of the CISPES investigation, sometimes referred to as spinoff investigations, were conducted.

The CISPES investigation used many standard investigative techniques. Among them were checks of public records and sources, photographic and visual surveillances, undercover attendance at meetings, reviews of financial records pursuant to the provisions of the Right to Financial Privacy Act, trash checks, checks of telephone and utility company records, checks of records of license and credit bureaus, checks of records of law enforcement agencies, and limited personal interviewing of CISPES members.

The investigation continued throughout 1984 and into 1985. As was and is required by the Attorney General guidelines for foreign intelligence collection and foreign counterintelligence investigations—which govern the conduct of international terrorism investigations by the FBI—periodic reports on the CISPES investigation were filed with the United States Department of Justice. These reports initially set forth the predication for opening the investigation and thereafter set forth the basis for continuing it.

The first two such reports were approved by the Department of Justice as satisfying the applicable requirements of the Attorney General guidelines.

Then, in response to the Bureau's report in March 1985, the Department questioned whether sufficient basis existed to continue the investigation, and on June 3, 1985, the Department advised the Bureau that the case no longer appeared to satisfy the standards in the Attorney General guidelines for an international terrorism investigation. Fifteen days later, the CISPES case was closed. No substantial link between CISPES and international terrorism activities was ever established.

Shortly after I became Director of the FBI in November of 1987, and soon after I became aware of the interest of Congress in this matter, I ordered the Inspection Division of the FBI to conduct a full and indepth inquiry into the CISPES investigation.

In particular, I asked to be advised of whether the Bureau had violated any legal or constitutional provisions, executive orders or presidential directives, Attorney General guidelines and/or internal FBI rules, regulations or policies during the CISPES investigation.

I asked whether any direction had been received from the White House during the investigation. I also asked whether the discretion and judgment used in conducting the investigation were appropriate.

The investigation was conducted by experienced inspectors, whose mandate from me was to leave no stone unturned in assessing the CISPES investigation and in reporting that assessment to me.

My inspectors reviewed over 375 major files, including all headquarters and field office CISPES investigative files, as well as the case files on individuals and groups that were opened as a result of CISPES.

They conducted extensive interviews of field and headquarters supervisory personnel, of the case agents who handled the investigations, and of the agents who were assigned various investigative responsibilities relating to CISPES.

The inquiry, and an earlier investigation conducted by the Bureau's Office of Professional Responsibility into allegations made by Frank Varelli, took several months and cost approximately \$800,000, only slightly less than the cost of the entire CISPES investigation itself.

This was an extensive and thorough inquiry. I am here today to highlight what my inspectors found and, more importantly, to tell you what I intend to do about what they found.

Here are the major conclusions of my inquiry.

One, absent the information provided by Frank Varelli, there would not have been sufficient predication for an international terrorism investigation of CISPES. The case pivoted on the information Varelli provided, and there were clear deficiencies, both operational and supervisory, in the way in which Varelli was handled.

His background and reliability were never investigated adequately, and during much of the investigation the accuracy of Varelli's information was not adequately verified. His activities were inadequately supervised.

By the time it was realized that Varelli's information was unreliable, the investigation had been under way for approximately one

year. The investigation would not have developed as it did had Varelli's reliability been properly scrutinized at the outset.

Two, the original focus and intent of the CISPES investigation were to determine the extent of monetary and other support by CISPES for terrorist movements and activities in El Salvador; to determine the likelihood of CISPES conducting terrorist activities in the United States; to identify those individuals who knowingly supported terrorist groups in El Salvador through efforts in the United States; and to determine the extent of any control over, or influence on, CISPES by the FDR or the FMLN.

This focus I believe was proper, given the information available to the Bureau at the commencement of the investigation. At the beginning the investigation was confined to Washington and 10 other field offices, and personnel were specifically instructed not to assume that rank-and-file members of CISPES knew anything about, or were involved with, the funding of terrorist activities in El Salvador.

They were also specifically instructed that the investigation would not be directed toward the exercise of rights guaranteed by the United States Constitution, instructions that were periodically repeated during the investigation.

Three, the major problem came when the scope of the investigation was unnecessarily broadened in October of 1983. It remained unnecessarily broad thereafter. The broadening of the investigation in October 1983, in essence directed all field offices to regard each CISPES chapter, wherever located, as a proper subject of the CISPES investigation.

Based on the documentation available to the FBI by October 1983, there was no reason to believe that all CISPES members nationwide knew of or had any involvement in support of El Salvador or U.S. terrorists. Thus, there was no reason to expand the investigation so widely. The focus should have been on CISPES national headquarters in Washington, DC. Indeed, at one point FBI headquarters told the Washington field office to get ready to assume principal responsibility for the case, but then failed to issue the necessary orders to bring this about.

The decision to broaden the investigation unnecessarily was made at a comparatively low level, and, put simply, the supervisory personnel at FBI headquarters who should have reviewed and analyzed this decision and appreciated its significance failed to do so.

Four, after the investigation was expanded in October 1983, many of the investigative activities that I described to you earlier could not reasonably have been expected to accomplish the goals of the investigation. Instead, these activities caused information on rank-and-file members who had nothing to do with international terrorism to be included in FBI case files.

Five, important aspects of the process by which the CISPES investigation was managed at certain levels of the FBI headquarters were flawed. There was no automatic reminder or "tickler" system in place to ensure timely and appropriate review of incoming information.

The field agents collecting information on CISPES could reasonably have assumed that the information would be properly re-

viewed at FBI headquarters, but in many cases it was not; it was simply placed in files and left there.

Similarly, some requests for guidance from the field went unanswered at FBI headquarters. The personnel responsible for the supervisory system as it then existed at FBI headquarters failed to ensure that the activities of those conducting the investigation were properly reviewed.

Six, earlier I spoke of the investigative techniques that were used in the investigation. It is important to note that certain other techniques, generally more intrusive in nature, were not used—such as electronic surveillance, consensual telephone monitoring, and court-authorized searches—although there was one instance in which information obtained from local authorities based on a local search warrant resulted in the opening of an investigation that should not have been opened.

Seven, the Attorney General guidelines were not designed to give guidance on a major problem faced in the CISPES investigation: The extent to which leaders and members may be investigated during an investigation of a group to which they belong. Other aspects of the CISPES investigation were also not specifically addressed by the guidelines.

Eight, there is no evidence that the White House or anyone acting on behalf of the White House gave instructions, requested information, or otherwise attempted to influence the CISPES investigation. The same is true of all other government agencies and outside private groups. There is no evidence that the CISPES investigation was politically motivated or directed.

Nine, Varelli's initial case agent, who resigned from the FBI in 1984, gave Varelli classified documents and withheld money that was to have been paid to Varelli. Other than that, my inspectors have not identified any illegal acts or violations of constitutional rights committed by the FBI as part of the CISPES investigation. They did identify 31 instances of possible violations of the Attorney General's guidelines, mostly of a minor and technical nature.

Since that time, the Bureau's legal counsel division has opined that only 15 of those instances were in fact violations, and that of those violations, 13 warrant being reported to the President's Intelligence Oversight Board.

In a moment I want to discuss what I plan on doing about what my inquiry discovered. Before I do so, I want to put the CISPES investigation—and the Bureau's international terrorism program—into perspective.

First and foremost, contrary to certain allegations, the CISPES investigation was not a return to the days of COINTELPRO. As initially conceived, the investigation was a reasonable examination of a possible terrorist threat. That its execution was flawed reflects mismanagement. It does not reflect a policy of purposeful interference with legitimate political domestic activity.

Terrorism joined white-collar crime, organized crime and foreign counterintelligence as the Bureau's fourth priority investigative area back in 1982. It has been and will continue to be the duty of the Federal Bureau of Investigation to do all within its power to deny support and refuge to international terrorists in the United



States and to identify, neutralize and help prosecute individuals engaged in support of international terrorism.

We were directed to do so by executive order. We are governed in this task by Attorney General guidelines, and Congress has demonstrated its own concern by giving us, under certain circumstances, extraterritorial jurisdiction for terrorist incidents in other countries.

It should be kept in mind that the CISPES investigation arose close in time to three bombing incidents in Washington, DC, one of which, in November 1983, took place in the Capitol itself. It came not long after a period in which there were sometimes over 100 terrorist incidents annually in this country and Puerto Rico, and at a time when the Subcommittee on Security and Terrorism of the Senate Judiciary Committee was urging the Bureau to investigate groups suspected of terrorist activity and expostulating when the Bureau did not.

The counterterrorism program designed by the FBI to respond to these realities has been highly successful. Despite the significant growth of terrorist acts abroad—often directed against Americans or American interests—there has not been one terrorist incident carried out in this country by a member of an international terrorist organization since 1983.

Our approach has been to stop incidents before they happen, and our approach has worked. We have defused plots to bomb a crowded jetliner, to overthrow established governments, and to assassinate political leaders.

These were arduous accomplishments. They were the product of diligent investigation and intelligence gathering. A decade ago Congress recognized the need for intelligence gathering when, in passing the Foreign Intelligence Surveillance Act of 1978, it noted:

While luckily the United States has heretofore been spared from the worst cases of international terrorism, a lack of intelligence concerning it may, as other countries crack down, present the United States as an inviting target.

The Bureau has acted accordingly and has acted effectively.

Does any of this excuse the mistakes that were made in the CISPES investigation? Of course not. The many successes of the Bureau's terrorism program do not justify what happened in the CISPES investigation.

But it is well to remember that when information we have points toward even a remote possibility of terrorism on these shores, it is the Bureau's sworn duty to investigate the matter fully.

In the overwhelming majority of cases, I believe that the Bureau's terrorism investigations have been conducted thoroughly and capably—properly focused, founded on solid evidence, and concerned only with terrorism.

After a thorough inquiry, I am convinced that the CISPES investigation was an aberration from this pattern—an unfortunate aligning of mistakes in judgment at several levels that cumulatively led to an investigation of which the FBI is not proud.

What matters now, of course, is not the past but the future. The CISPES investigation taught the Bureau, and me, a great many lessons, and I would like to share those lessons with you by describing

for you now the changes that I have ordered to be made in response to the inquiry.

I should first mention that the inquiry report presented to me by my inspectors made a number of recommendations for changes and corrective actions. After careful review, I concluded that it was necessary to go beyond what was recommended in this very thorough report.

Therefore, I have implemented both the actions and changes recommended in the report, with modifications in some instances to broaden their effect, and have also implemented a number of my own policy and procedural changes.

First, a basic conclusion: The Attorney General guidelines applicable to international terrorism investigations were primarily designed to give guidance and sufficient specificity regarding international terrorism investigations of groups that are primarily composed of persons in the United States.

For example, the guidelines do not describe the extent to which leaders and rank-and-file members may be investigated during an international terrorism investigation of a group to which they belong. Nor is there specific guidance regarding international terrorism investigations of fairly broadly based groups like CISPES.

For that reason, I have asked the Attorney General to approve the formation of a Department of Justice/FBI joint working group tasked with making recommendations to the Attorney General on modification of the guidelines to address specifically international terrorism investigations of groups.

I have asked the Attorney General to appoint Mary Lawton, counsel to the Attorney General for intelligence policy and review—with whom you are all familiar—to chair this group. My expectation is that this group will develop for the Attorney General additional guideline provisions that will furnish the guidance necessary for these types of investigations.

It was also apparent that the review and approval processes for the CISPES investigation were insufficient and were carried out at too low a level, given the sensitivity of this type of investigation. I have instituted a number of changes to rectify this problem.

Principally, all international terrorism investigations will now have to be approved at a higher level. I have instructed that the approval level for international terrorism investigations of groups be at the section chief level at FBI headquarters.

At the inception of the CISPES investigation, the approval level rested at a lower level with the operational supervisor.

This is a significant element of the approval level and brings each of these cases to the attention of the individual responsible for the nationwide management of this important investigative program.

In addition, I am requiring that the section chief review international terrorism investigations of groups every six months and that the deputy assistant director having oversight of the terrorism program review each of these cases annually.

Included in this review must now be an assessment of the investigative objectives of each case and a determination of whether the investigation is consistent with and headed toward accomplishment

of these objectives. The mission must be crystal clear and sharply focused.

As mentioned earlier, I concluded that the mechanism designed for review of international terrorism cases, particularly of groups, including review by the Department of Justice's Office of Intelligence Policy and Review, did not alert reviewing officials to the fact that particularly sensitive investigative activities were being undertaken and did not alert them to the full scope of an investigation.

For example, in the CISPES investigation there were instances when activities that were essentially political in nature were surveilled. I have further refined the review and approval process to ensure that higher level officials are aware of such surveillances and of other sensitive investigative activities, and to ensure that if these surveillances and activities do take place, they are fully justified.

By way of further example, as mentioned before, my inspectors concluded that the October 1983, communication to all 59 field offices unnecessarily broadened the scope of the CISPES investigation and that it was ordered without sufficient prior review.

Accordingly, I have instructed that clear and concise criteria be developed for judging the appropriateness of the scope of all international terrorism investigations and that the scope of such investigations be regularly reviewed.

I also concluded that during the CISPES investigation there was no requirement that higher level officials be advised when certain investigative activities that by their very nature must be scrutinized closely were being used. Such activities include surveillances at public rallies, attendance at meetings, and other similar investigative techniques.

Although I will discuss this topic in greater detail in a moment, I would like to mention that each time a document is prepared seeking approval or review of these types of investigations, including domestic security investigations, I will now require inclusion of a description of the investigative activities that have been undertaken to date. If sensitive techniques are to be utilized—and often they must be utilized—higher level officials will be able to determine, and required to determine, whether a particular investigation merits the use of such techniques.

I believe that these and other changes will allow high-level Bureau officials, as well as the Department of Justice, to assess and evaluate the focus, the basis, and the scope of these investigations. These and other changes will thereby help make certain that direction and guidance are proper and that any sensitive techniques being used are appropriate and justified.

During the CISPES investigation there were instances when agents in the field offices asked headquarters for guidance on the applicability of the guidelines and on the wisdom of continuing certain aspects of the investigation. It is vital that these types of field inquiries come to the attention of high-level Bureau officials.

For that reason, I have instructed both of the FBI's investigative divisions to make certain that tracking and monitoring systems are in place to ensure that these requests—and particularly requests for guidance on justification, focus, and the use of sensitive tech-

niques—are brought to the attention of higher level Bureau officials.

I have specifically instructed that Bureau communications forms be redesigned to make it easy to determine whether a response, for example, guidance, is required or whether a communication is merely for informational purposes. This will help make sure that headquarters provides timely high-level guidance when it is necessary to do so.

Probably the most critical area requiring attention was how to conduct investigations of groups where legitimate First Amendment activities were being undertaken by rank-and-file members. I found that, in the CISPES investigation, guidance on dealing with activities protected by the First Amendment was given to the field offices in many instances. In spite of this, headquarters received reports on such activities that failed to specify why the reports were necessary.

What this tells me is that sufficient training in this area is not being provided to our personnel. For that reason, I have instructed that additional training on how to deal with activities protected by the First Amendment be given to all agents, nationwide. This will include training for new agents, training for managers, and training for agents working in these types of cases.

I want to do everything I can to remind personnel at all levels that investigations must not unreasonably infringe on the activities protected by the First Amendment.

Closely coupled with this will be the development of written guidance concerning activities protected by the First Amendment and development of this written guidance concerning the collection and preservation of printed public source materials.

Further, I have instructed that the Bureau's legal counsel division participate from now on in providing instructions in cases where the potential exists for confronting legitimate First Amendment Activities in the course of the investigation.

As I mentioned before, it is critical that senior managers and the Department of Justice be fully aware of precisely which investigative activities have been undertaken in any particular investigation when they review and/or approve that investigation. The new requirement, mentioned a moment ago, that descriptions be included in every review and approval document will hasten the solution of this problem.

My inquiry concluded that a number of deficiencies in the handling and management of Frank Varelli resulted in a failure to investigate Varelli's background properly and resulted in undue reliance being placed on the information he provided.

Consequently, I have done the following:

First, I have instructed that the Intelligence Division establish a unit dedicated to managing all foreign counterintelligence and international terrorism assets in a manner similar to the way in which all criminal informants are now being managed. I have taken this action to make certain that our assets receive uniform and independent oversight, thereby vastly increasing the likelihood that deficiencies of the type revealed in the Varelli case will be detected by headquarters and acted upon promptly.

Second, I have instructed that a number of additional procedural changes be instituted to ensure that undue reliance will not be placed on information provided by assets. For example, there were numerous instances where Varella provided information to the FBI that, upon reexamination, was determined not to be firsthand information but was in fact public source information.

Accordingly, I will now require that information received from assets and informants be set forth in a manner that will show, to the greatest extent possible, where the asset or informant obtained the information. Thus, if there is no indication in a document as to the original source of an asset's information, that information will now be judged accordingly.

Third, whenever the FBI begins development and utilization of an asset, I have instructed that his bona fides be systematically and thoroughly checked and that any information provided by the asset be systematically and thoroughly analyzed. This means that information about an asset and information from an asset will be subjected to uniform analysis before being characterized as "reliable."

The CISPES investigation saw undue reliance placed on information that had not been shown to be reliable and on characterization of an asset as being reliable when, in fact, that had not yet been established. My changes ought to help prevent this problem from happening again.

It has also become clear to me that international terrorism investigations, because of their potential for impacting on civil and constitutional rights, warrant closer examination during the periodic reviews of field office operations by the Bureau's Inspection Division.

Therefore, I have instructed the Bureau's Inspection Division to develop new audit procedures and to provide more in-depth review of the asset and informant programs, including review of such matters as the bona fides and reliability of assets and compliance with relevant rules and regulations.

I have also instructed that, during each field and headquarters inspection, all open international terrorism investigations of groups be reviewed not only for compliance with applicable guidelines, rules and regulations, but also to determine whether the scope and focus of these investigations are appropriate and properly documented. As part of this process, there will be increased training and specialization for our inspectors and their staffs to ensure the adequacy of these reviews.

In addition to the need I mentioned earlier for significantly increased training in regard to First Amendment issues, it also became apparent to me that training in other areas must be enhanced. For example, during the CISPES investigation certain supervisors who were entrusted with responsibility for supervision of various aspects of the investigation clearly did not have sufficient familiarity with the terrorism program to ensure meaningful case supervision.

For that reason, I have instructed that new field supervisors and supervisors new to a particular program receive a comprehensive briefing on all programs under their responsibility. This will include making certain that they are familiar with pertinent guide-

lines and reference material to help them deal with the types of issues presented by the CISPES investigation.

In a related matter, to make sure that the FBI learns from and continues to benefit from the lessons learned in the CISPES case, I have instructed that the findings of my inquiry be brought to the attention of all senior managers in the FBI so that they understand what precipitated the need for the changes I have instituted. I intend to make certain that the deficiencies in the CISPES investigation and in the operation of Frank Varelli are included in relevant training programs.

I indicated earlier that the names of persons having nothing to do with international terrorism ended up in FBI case files as a part of the CISPES investigation. I should mention that most of those names are not indexed in the central filing system and are, as a practical matter, irretrievable. Nonetheless, although we are obligated to maintain such files, the Bureau is perfectly willing to consider, on a case-by-case basis, requests from individuals or groups who wish to have their names expunged.

The primary concern here is not the existence of those names, but rather what dissemination is made of those names. As a general proposition, I believe the FBI should take special care in the dissemination of information about people whose names ended up in files merely because they attended CISPES meetings or participated in CISPES activities.

One routine dissemination of file information comes when other government agencies request FBI record checks in connection with employment matters. It would obviously be inappropriate, in responding to such a request, to make a disclosure that would indicate, directly or by implication, that someone who simply attended a CISPES rally or had contact with the group in another way was somehow supporting international terrorist activities.

Consequently, I have ordered senior personnel at the Bureau to develop criteria for restricting dissemination of information in CISPES files except in response to Freedom of Information Act and Privacy Act requests, which will not be affected.

I have also instructed that numerous other policy changes be made and actions of a less significant nature be taken to assist our managers in the day-to-day operation of the Bureau. These changes range from increased examination of indexing processes to reexamination of the usefulness of the FBI file sometimes referred to as the "Terrorist Photograph Album."

Finally, after careful consideration, I have decided to impose disciplinary sanctions against six FBI employees at the supervisor, unit chief, and section chief levels for their performance during the CISPES investigation. Both field and headquarters personnel are involved.

In three of these cases, the individuals are being formally censured, a sanction of considerable gravity within the FBI. In the remaining three cases, each of those involved has been censured, placed on probation, and suspended from duty for 14 calendar days. A seventh employee, whose performance would in all likelihood have merited dismissal, has resigned.

Let me make it very clear that I am disciplining these individuals solely because of the managerial or supervisory inadequacies

displayed by them during the CISPES investigation. I have seen no evidence whatsoever that the conduct in question was either illegal or motivated by any improper purpose.

At the same time, the mistakes in judgment that took place during the CISPES investigation were serious ones, and I cannot emphasize too strongly my firm conviction that there is no place for such mistakes in the work of the FBI. The sanctions I am imposing are intended to convey that conviction with clarity and vigor.

In conclusion, I believe that the changes I have set forth for you today represent a significant improvement of FBI management procedures and policies, and I believe that these changes substantially increase the likelihood that future CISPES cases will not occur.

I will now be happy to try to answer any questions you may have on what my inquiry found and on what I have done. As I know you are aware, I cannot discuss classified information in open session, but I will of course be happy to answer for the classified record any questions you may have pertaining to such information.

Thank you, Mr. Chairman.

[The Director's prepared statement follows:]



U.S. Department of Justice

Federal Bureau of Investigation

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Office of the Director

Washington, D.C. 20535

OPENING STATEMENT  
OF  
WILLIAM S. SESSIONS  
DIRECTOR  
FEDERAL BUREAU OF INVESTIGATION  
SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS  
COMMITTEE ON THE JUDICIARY  
HOUSE OF REPRESENTATIVES  
SEPTEMBER 16, 1988



9/16/88

MR. CHAIRMAN:

I AM HERE TODAY AT YOUR INVITATION TO DISCUSS THE FBI'S INVESTIGATION OF CISPES--THE COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR. CISPES, A GROUP HEADQUARTERED IN WASHINGTON, D. C., WITH BRANCHES THROUGHOUT MUCH OF THE UNITED STATES, FIRST BECAME THE SUBJECT OF AN FBI INVESTIGATION IN SEPTEMBER, 1981. AT THAT TIME, THE DEPARTMENT OF JUSTICE ASKED THE BUREAU TO DETERMINE WHETHER CISPES WAS IN COMPLIANCE WITH THE PROVISIONS OF THE FOREIGN AGENTS REGISTRATION ACT. THIS LEGISLATION REQUIRES THAT PERSONS ACTING IN THE UNITED STATES ON BEHALF OF FOREIGN GOVERNMENTS OR ENTITIES REGISTER WITH THE U.S. GOVERNMENT. ALTHOUGH IT WAS ESTABLISHED AT THAT TIME THAT CISPES PUBLISHED LITERATURE ENDORSING THE OBJECTIVES OF TWO ORGANIZATIONS KNOWN TO BE SALVADORAN TERRORIST GROUPS--THE SALVADORAN DEMOCRATIC REVOLUTIONARY FRONT (THE "FDR") AND THE FARABUNDO MARTI NATIONAL LIBERATION FRONT (THE "FMLN")--NO VIOLATION OF THE FOREIGN AGENTS REGISTRATION ACT WAS DISCOVERED, AND THIS LIMITED INVESTIGATION WAS COMPLETED THREE MONTHS LATER IN DECEMBER, 1981.

SUBSEQUENTLY, IN MARCH, 1983, BASED UPON INFORMATION FURNISHED BY THE DALLAS FIELD OFFICE OF THE FBI, THE

TERRORISM SECTION OF THE BUREAU'S CRIMINAL INVESTIGATIVE DIVISION AT FBI HEADQUARTERS IN WASHINGTON AUTHORIZED THE OPENING OF A NEW INVESTIGATION OF CISPES TO DETERMINE THE EXTENT TO WHICH ITS PRIOR ENDORSEMENT OF THE FOREIGN TERRORIST ORGANIZATIONS HAD BECOME ACTIVE FINANCIAL OR OTHER SUPPORT. THIS INVESTIGATION WAS ALSO INTENDED TO DETERMINE THE EXTENT OF ANY CONTROL OF CISPES BY THE FDR OR THE FMLN AND TO DETERMINE WHETHER CISPES WAS PLANNING TERRORIST ACTIVITIES IN THE UNITED STATES.

THE INFORMATION FURNISHED BY THE DALLAS FIELD OFFICE CAME FROM SEVERAL SOURCES. CHIEF AMONG THEM WAS A CENTRAL AMERICAN EXPATRIATE NAMED FRANK VARELLI. VARELLI HAD BECOME AN FBI ASSET, A TERM MEANING "INTELLIGENCE SOURCE," IN 1981. AS IS CUSTOMARY, HE WAS ASSIGNED TO A SPECIAL AGENT (IN THE DALLAS OFFICE) FOR MONITORING AND OPERATING. VARELLI ALLEGED THAT CISPES WAS UNDER THE DIRECTION OF THE PREVIOUSLY MENTIONED FOREIGN TERRORIST ORGANIZATIONS, THAT CISPES WAS PROVIDING FINANCIAL SUPPORT TO THOSE ORGANIZATIONS, AND THAT CISPES WAS PREPARING FOR TERRORIST ACTIVITIES IN THE UNITED STATES.

THE INFORMATION VARELLI GAVE TO HIS CASE AGENT IN DALLAS WAS IN TURN GIVEN TO THAT AGENT'S SUPERVISORS IN DALLAS FOR REVIEW. IT WAS EVENTUALLY PASSED ALONG TO THE OPERATIONAL DESK OF THE TERRORISM SECTION IN WASHINGTON,

WHERE THE INVESTIGATION WAS OPENED AND FROM WHICH THE INVESTIGATION WAS COORDINATED FOR ALL OF ITS TWENTY-SEVEN MONTH DURATION. ALTHOUGH CISPES WAS LOCATED IN THE UNITED STATES, THE INVESTIGATION WAS CLASSIFIED AS AN INTERNATIONAL TERRORISM INVESTIGATION BECAUSE THE QUESTION OF WHETHER THE GROUP SUPPORTED FOREIGN TERRORIST ACTIVITIES (OR WAS IN TURN SUPPORTED BY FOREIGN TERRORISTS) WAS THE MAJOR FOCUS OF THE INVESTIGATION.

FOR MUCH OF 1983 THE INVESTIGATION WAS NARROWLY FOCUSED. IT CONCENTRATED ON CISPES HEADQUARTERS IN WASHINGTON, ON ITS DALLAS CHAPTER, AND ON A HANDFUL OF ITS OTHER BRANCH CHAPTERS. THE MAJOR TURNING POINT IN THE INVESTIGATION CAME IN OCTOBER, 1983, WHEN THE TERRORISM SECTION OF THE CRIMINAL INVESTIGATIVE DIVISION AT FBI HEADQUARTERS SENT A TELETYPE SEEKING ADDITIONAL INVESTIGATIVE SUPPORT IN THE CISPES INVESTIGATION FROM EVERY FIELD OFFICE IN THE FBI, THEREBY EFFECTIVELY MAKING THE SCOPE OF THE INVESTIGATION NATIONWIDE. THE THEN APPROXIMATELY 180 CISPES CHAPTERS THROUGHOUT THE UNITED STATES THUS BECAME SUBJECT TO INVESTIGATION, AND OVER THE NEXT 18 MONTHS NUMEROUS OTHER INVESTIGATIONS ARISING OUT OF THE CISPES INVESTIGATION, SOMETIMES REFERRED TO AS SPINOFF INVESTIGATIONS, WERE CONDUCTED.

THE CISPES INVESTIGATION USED MANY STANDARD INVESTIGATIVE TECHNIQUES. AMONG THEM WERE CHECKS OF PUBLIC RECORDS AND SOURCES, PHOTOGRAPHIC AND VISUAL SURVEILLANCES, UNDERCOVER ATTENDANCE AT MEETINGS, REVIEWS OF FINANCIAL RECORDS PURSUANT TO THE PROVISIONS OF THE RIGHT TO FINANCIAL PRIVACY ACT, TRASH CHECKS, CHECKS OF TELEPHONE AND UTILITY COMPANY RECORDS, CHECKS OF RECORDS OF LICENSE AND CREDIT BUREAUS, CHECKS OF RECORDS OF LAW ENFORCEMENT AGENCIES, AND LIMITED PERSONAL INTERVIEWING OF CISPES MEMBERS.

THE INVESTIGATION CONTINUED THROUGHOUT 1984 AND INTO 1985. AS WAS AND IS REQUIRED BY THE ATTORNEY GENERAL GUIDELINES FOR FOREIGN INTELLIGENCE COLLECTION AND FOREIGN COUNTERINTELLIGENCE INVESTIGATIONS--WHICH GOVERN THE CONDUCT OF INTERNATIONAL TERRORISM INVESTIGATIONS BY THE FBI--PERIODIC REPORTS ON THE CISPES INVESTIGATION WERE FILED WITH THE UNITED STATES DEPARTMENT OF JUSTICE. THESE REPORTS INITIALLY SET FORTH THE PREDICATION FOR OPENING THE INVESTIGATION AND THEREAFTER SET FORTH THE BASIS FOR CONTINUING IT. THE FIRST TWO SUCH REPORTS WERE APPROVED BY THE DEPARTMENT OF JUSTICE AS SATISFYING THE APPLICABLE REQUIREMENTS OF THE ATTORNEY GENERAL GUIDELINES.

THEN, IN RESPONSE TO THE BUREAU'S REPORT IN MARCH, 1985, THE DEPARTMENT QUESTIONED WHETHER SUFFICIENT BASIS EXISTED TO CONTINUE THE INVESTIGATION, AND ON JUNE 3, 1985, THE DEPARTMENT ADVISED THE BUREAU THAT THE CASE NO LONGER APPEARED TO SATISFY THE STANDARDS IN THE ATTORNEY GENERAL GUIDELINES FOR AN INTERNATIONAL TERRORISM INVESTIGATION. FIFTEEN DAYS LATER, THE CISPES CASE WAS CLOSED. NO SUBSTANTIAL LINK BETWEEN CISPES AND INTERNATIONAL TERRORISM ACTIVITIES WAS EVER ESTABLISHED.

SHORTLY AFTER I BECAME DIRECTOR OF THE FBI IN NOVEMBER, 1987, AND SOON AFTER I BECAME AWARE OF THE INTEREST OF CONGRESS IN THIS MATTER, I ORDERED THE INSPECTION DIVISION OF THE FBI TO CONDUCT A FULL AND IN-DEPTH INQUIRY INTO THE CISPES INVESTIGATION. IN PARTICULAR, I ASKED TO BE ADVISED OF WHETHER THE BUREAU HAD VIOLATED ANY LEGAL OR CONSTITUTIONAL PROVISIONS, EXECUTIVE ORDERS OR PRESIDENTIAL DIRECTIVES, ATTORNEY GENERAL GUIDELINES, AND/OR INTERNAL FBI RULES, REGULATIONS OR POLICIES DURING THE CISPES INVESTIGATION. I ASKED WHETHER ANY DIRECTION HAD BEEN RECEIVED FROM THE WHITE HOUSE CONCERNING THE INVESTIGATION. I ALSO ASKED WHETHER THE DISCRETION AND JUDGMENT USED IN CONDUCTING THE INVESTIGATION WERE APPROPRIATE.

THE INVESTIGATION WAS CONDUCTED BY EXPERIENCED INSPECTORS, WHOSE MANDATE FROM ME WAS TO LEAVE NO STONE UNTURNED IN ASSESSING THE CISPES INVESTIGATION AND IN REPORTING THAT ASSESSMENT TO ME. MY INSPECTORS REVIEWED OVER 375 MAJOR FILES, INCLUDING ALL HEADQUARTERS AND FIELD OFFICE CISPES INVESTIGATIVE FILES, AS WELL AS THE CASE FILES ON INDIVIDUALS AND GROUPS THAT WERE OPENED AS A RESULT OF CISPES. THEY CONDUCTED EXTENSIVE INTERVIEWS OF FIELD AND HEADQUARTERS SUPERVISORY PERSONNEL, OF THE CASE AGENTS WHO HANDLED THE INVESTIGATIONS, AND OF THE AGENTS WHO WERE ASSIGNED VARIOUS INVESTIGATIVE RESPONSIBILITIES RELATING TO CISPES. THE INQUIRY (AND AN EARLIER INVESTIGATION CONDUCTED BY THE BUREAU'S OFFICE OF PROFESSIONAL RESPONSIBILITY INTO ALLEGATIONS MADE BY FRANK VARELLI) TOOK SEVERAL MONTHS AND COST APPROXIMATELY \$800,000, ONLY SLIGHTLY LESS THAN THE COST OF THE ENTIRE CISPES INVESTIGATION ITSELF. THIS WAS AN EXTENSIVE AND THOROUGH INQUIRY. I AM HERE TODAY TO HIGHLIGHT WHAT MY INSPECTORS FOUND AND--MORE IMPORTANTLY--TO TELL YOU WHAT I INTEND TO DO ABOUT WHAT THEY FOUND. HERE ARE THE MAJOR CONCLUSIONS OF MY INQUIRY:

1. ABSENT THE INFORMATION PROVIDED BY FRANK VARELLI, THERE WOULD NOT HAVE BEEN SUFFICIENT PREDICATION FOR AN INTERNATIONAL TERRORISM INVESTIGATION OF CISPES. THE CASE PIVOTED ON THE INFORMATION VARELLI PROVIDED, AND THERE WERE

CLEAR DEFICIENCIES, BOTH OPERATIONAL AND SUPERVISORY, IN THE WAY IN WHICH VARELLI WAS HANDLED. HIS BACKGROUND AND RELIABILITY WERE NEVER INVESTIGATED ADEQUATELY, AND DURING MUCH OF THE INVESTIGATION THE ACCURACY OF VARELLI'S INFORMATION WAS NOT ADEQUATELY VERIFIED. HIS ACTIVITIES WERE INADEQUATELY SUPERVISED. BY THE TIME IT WAS REALIZED THAT VARELLI'S INFORMATION WAS UNRELIABLE, THE INVESTIGATION HAD BEEN UNDERWAY FOR APPROXIMATELY ONE YEAR. THE INVESTIGATION WOULD NOT HAVE DEVELOPED AS IT DID HAD VARELLI'S RELIABILITY BEEN PROPERLY SCRUTINIZED AT THE OUTSET.

2. THE ORIGINAL FOCUS AND INTENT OF THE CISPES INVESTIGATION WERE TO DETERMINE THE EXTENT OF MONETARY AND OTHER SUPPORT BY CISPES FOR TERRORIST MOVEMENTS AND ACTIVITIES IN EL SALVADOR; TO DETERMINE THE LIKELIHOOD OF CISPES CONDUCTING TERRORIST ACTIVITIES IN THE UNITED STATES; TO IDENTIFY THOSE INDIVIDUALS WHO KNOWINGLY SUPPORTED TERRORIST GROUPS IN EL SALVADOR THROUGH EFFORTS IN THE UNITED STATES; AND TO DETERMINE THE EXTENT OF ANY CONTROL OVER, OR INFLUENCE ON, CISPES BY THE FDR OR THE FMLN. THIS FOCUS WAS PROPER, GIVEN THE INFORMATION AVAILABLE TO THE BUREAU AT THE COMMENCEMENT OF THE INVESTIGATION. AT THE BEGINNING, THE INVESTIGATION WAS CONFINED TO WASHINGTON AND 11 OTHER FIELD OFFICES, AND PERSONNEL WERE SPECIFICALLY INSTRUCTED NOT TO ASSUME THAT

RANK-AND-FILE MEMBERS OF CISPES KNEW ANYTHING ABOUT, OR WERE INVOLVED WITH, THE FUNDING OF TERRORIST ACTIVITIES IN EL SALVADOR. THEY WERE ALSO SPECIFICALLY INSTRUCTED THAT THE INVESTIGATION WOULD NOT BE DIRECTED TOWARD THE EXERCISE OF RIGHTS GUARANTEED BY THE UNITED STATES CONSTITUTION, INSTRUCTIONS THAT WERE PERIODICALLY REPEATED DURING THE INVESTIGATION.

3. THE MAJOR PROBLEM CAME WHEN THE SCOPE OF THE INVESTIGATION WAS UNNECESSARILY BROADENED IN OCTOBER, 1983. IT REMAINED UNNECESSARILY BROAD THEREAFTER. THE BROADENING OF THE INVESTIGATION IN OCTOBER, 1983, IN ESSENCE DIRECTED ALL FIELD OFFICES TO REGARD EACH CISPES CHAPTER, WHEREVER LOCATED, AS A PROPER SUBJECT OF THE INVESTIGATION. BASED ON THE DOCUMENTATION AVAILABLE TO THE FBI BY OCTOBER, 1983, THERE WAS NO REASON TO BELIEVE THAT ALL CISPES MEMBERS NATIONWIDE KNEW OF OR HAD ANY INVOLVEMENT IN SUPPORT OF EL SALVADORAN OR U.S. TERRORISTS. THUS, THERE WAS NO REASON TO EXPAND THE INVESTIGATION SO WIDELY. THE FOCUS SHOULD HAVE BEEN ON CISPES NATIONAL HEADQUARTERS IN WASHINGTON, D. C.; INDEED, AT ONE POINT FBI HEADQUARTERS TOLD THE WASHINGTON FIELD OFFICE TO GET READY TO ASSUME PRINCIPAL RESPONSIBILITY FOR THE CASE BUT THEN FAILED TO ISSUE THE NECESSARY ORDERS TO BRING THIS ABOUT. THE DECISION TO BROADEN THE INVESTIGATION UNNECESSARILY WAS MADE AT A COMPARATIVELY LOW LEVEL, AND, PUT SIMPLY, THE



SUPERVISORY PERSONNEL AT FBI HEADQUARTERS WHO SHOULD HAVE REVIEWED AND ANALYZED THIS DECISION AND APPRECIATED ITS SIGNIFICANCE FAILED TO DO SO.

4. AFTER THE INVESTIGATION WAS EXPANDED IN OCTOBER, 1983, MANY OF THE INVESTIGATIVE ACTIVITIES THAT I DESCRIBED TO YOU EARLIER COULD NOT REASONABLY HAVE BEEN EXPECTED TO ACCOMPLISH THE GOALS OF THE INVESTIGATION. INSTEAD, THESE ACTIVITIES CAUSED INFORMATION ON RANK-AND-FILE MEMBERS WHO HAD NOTHING TO DO WITH INTERNATIONAL TERRORISM TO BE INCLUDED IN FBI CASE FILES.

5. IMPORTANT ASPECTS OF THE PROCESS BY WHICH THE CISPES INVESTIGATION WAS MANAGED AT CERTAIN LEVELS OF FBI HEADQUARTERS WERE FLAWED. THERE WAS NO AUTOMATIC REMINDER OR "TICKLER" SYSTEM IN PLACE TO ENSURE TIMELY AND APPROPRIATE REVIEW OF INCOMING INFORMATION. THE FIELD AGENTS COLLECTING INFORMATION ON CISPES COULD REASONABLY HAVE ASSUMED THAT THE INFORMATION WOULD BE PROPERLY REVIEWED AT FBI HEADQUARTERS, BUT IN MANY CASES IT WAS NOT; IT WAS SIMPLY PLACED IN FILES AND LEFT THERE. SIMILARLY, SOME REQUESTS FOR GUIDANCE FROM THE FIELD WENT UNANSWERED AT FBI HEADQUARTERS. THE PERSONNEL RESPONSIBLE FOR THE SUPERVISORY SYSTEM AS IT THEN EXISTED AT FBI HEADQUARTERS FAILED TO ENSURE THAT THE ACTIVITIES OF THOSE CONDUCTING THE INVESTIGATION WERE PROPERLY REVIEWED.

6. EARLIER I SPOKE OF THE INVESTIGATIVE TECHNIQUES THAT WERE USED IN THE INVESTIGATION. IT IS IMPORTANT TO NOTE THAT CERTAIN OTHER TECHNIQUES, GENERALLY MORE INTRUSIVE IN NATURE, WERE NOT USED--SUCH AS ELECTRONIC SURVEILLANCE, CONSENSUAL TELEPHONE MONITORING, AND COURT-AUTHORIZED SEARCHES--ALTHOUGH THERE WAS ONE INSTANCE IN WHICH INFORMATION OBTAINED FROM LOCAL AUTHORITIES BASED ON A LOCAL SEARCH WARRANT RESULTED IN THE OPENING OF AN INVESTIGATION THAT SHOULD NOT HAVE BEEN OPENED.

7. THE ATTORNEY GENERAL GUIDELINES WERE NOT DESIGNED TO GIVE GUIDANCE ON A MAJOR PROBLEM FACED IN THE CISPES INVESTIGATION: THE EXTENT TO WHICH LEADERS AND MEMBERS MAY BE INVESTIGATED DURING AN INVESTIGATION OF A GROUP TO WHICH THEY BELONG. OTHER ASPECTS OF THE CISPES INVESTIGATION WERE ALSO NOT SPECIFICALLY ADDRESSED BY THE GUIDELINES.

8. THERE IS NO EVIDENCE THAT THE WHITE HOUSE OR ANYONE ACTING ON BEHALF OF THE WHITE HOUSE GAVE INSTRUCTIONS, REQUESTED INFORMATION, OR OTHERWISE ATTEMPTED TO INFLUENCE THE CISPES INVESTIGATION. THE SAME IS TRUE OF ALL OTHER GOVERNMENT AGENCIES AND OUTSIDE PRIVATE GROUPS. THERE IS NO EVIDENCE THAT THE CISPES INVESTIGATION WAS POLITICALLY MOTIVATED OR DIRECTED.

9. VARELLI'S INITIAL CASE AGENT, WHO RESIGNED FROM THE FBI IN 1984, GAVE VARELLI CLASSIFIED DOCUMENTS AND WITHHELD MONEY THAT WAS TO HAVE BEEN PAID TO VARELLI. OTHER THAN THAT, MY INSPECTORS HAVE NOT IDENTIFIED ANY ILLEGAL ACTS OR VIOLATIONS OF CONSTITUTIONAL RIGHTS COMMITTED BY THE FBI AS PART OF THE CISPES INVESTIGATION. THEY DID IDENTIFY THIRTY-ONE INSTANCES OF POSSIBLE VIOLATIONS OF THE ATTORNEY GENERAL GUIDELINES, MOSTLY OF A MINOR AND TECHNICAL NATURE. SINCE THAT TIME, THE BUREAU'S LEGAL COUNSEL DIVISION HAS OPINED THAT ONLY FIFTEEN OF THESE INSTANCES WERE IN FACT VIOLATIONS, AND THAT OF THOSE VIOLATIONS, THIRTEEN WARRANT BEING REPORTED TO THE PRESIDENT'S INTELLIGENCE OVERSIGHT BOARD.

IN A MOMENT I WANT TO DISCUSS WHAT I PLAN ON DOING ABOUT WHAT MY INQUIRY DISCOVERED. BEFORE I DO SO, I WANT TO PUT THE CISPES INVESTIGATION--AND THE BUREAU'S INTERNATIONAL TERRORISM PROGRAM--INTO PERSPECTIVE. FIRST AND FOREMOST, CONTRARY TO CERTAIN ALLEGATIONS, THE CISPES INVESTIGATION WAS NOT A RETURN TO THE DAYS OF COINTELPRO. AS INITIALLY CONCEIVED, THE INVESTIGATION WAS A REASONABLE EXAMINATION OF A POSSIBLE TERRORIST THREAT. THAT ITS EXECUTION WAS FLAWED REFLECTS MISMANAGEMENT. IT DOES NOT REFLECT A POLICY OF PURPOSEFUL INTERFERENCE WITH LEGITIMATE DOMESTIC POLITICAL ACTIVITY.

TERRORISM JOINED WHITE COLLAR CRIME, ORGANIZED CRIME AND FOREIGN COUNTERINTELLIGENCE AS THE BUREAU'S FOURTH PRIORITY INVESTIGATIVE AREA BACK IN 1982. IT HAS BEEN AND WILL CONTINUE TO BE THE DUTY OF THE FEDERAL BUREAU OF INVESTIGATION TO DO ALL WITHIN ITS POWER TO DENY SUPPORT AND REFUGE TO INTERNATIONAL TERRORISTS IN THE UNITED STATES AND TO IDENTIFY, NEUTRALIZE AND HELP PROSECUTE INDIVIDUALS ENGAGED IN SUPPORT OF INTERNATIONAL TERRORISM. WE WERE DIRECTED TO DO SO BY EXECUTIVE ORDER; WE ARE GOVERNED IN THIS TASK BY ATTORNEY GENERAL GUIDELINES; AND CONGRESS HAS DEMONSTRATED ITS OWN CONCERN BY GIVING US, UNDER CERTAIN CIRCUMSTANCES, EXTRATERRITORIAL JURISDICTION FOR TERRORIST INCIDENTS IN OTHER COUNTRIES. IT SHOULD BE KEPT IN MIND THAT THE CISPES INVESTIGATION AROSE CLOSE IN TIME TO THREE BOMBING INCIDENTS IN WASHINGTON, D.C., ONE OF WHICH (IN NOVEMBER, 1983) TOOK PLACE IN THE CAPITOL ITSELF. IT CAME NOT LONG AFTER A PERIOD IN WHICH THERE WERE SOMETIMES OVER 100 TERRORIST INCIDENTS ANNUALLY IN THIS COUNTRY AND PUERTO RICO AND AT A TIME WHEN THE SUBCOMMITTEE ON SECURITY AND TERRORISM OF THE SENATE JUDICIARY COMMITTEE WAS URGING THE BUREAU TO INVESTIGATE GROUPS SUSPECTED OF TERRORIST ACTIVITY AND EXPOSTULATING WHEN THE BUREAU DID NOT.

THE COUNTERTERRORISM PROGRAM DESIGNED BY THE FBI TO RESPOND TO THESE REALITIES HAS BEEN HIGHLY SUCCESSFUL. DESPITE THE SIGNIFICANT GROWTH OF TERRORIST ACTS ABROAD--

OFTEN DIRECTED AGAINST AMERICANS OR AMERICAN INTERESTS-- THERE HAS NOT BEEN ONE TERRORIST INCIDENT CARRIED OUT IN THIS COUNTRY BY A MEMBER OF AN INTERNATIONAL TERRORIST ORGANIZATION SINCE 1983. OUR APPROACH HAS BEEN TO STOP INCIDENTS BEFORE THEY HAPPEN, AND OUR APPROACH HAS WORKED. WE HAVE DEFUSED PLOTS TO BOMB A CROWDED JETLINER, TO OVERTHROW ESTABLISHED GOVERNMENTS, AND TO ASSASSINATE POLITICAL LEADERS.

THESE WERE ARDUOUS ACCOMPLISHMENTS. THEY WERE THE PRODUCTS OF DILIGENT INVESTIGATION AND INTELLIGENCE GATHERING. A DECADE AGO CONGRESS RECOGNIZED THE NEED FOR INTELLIGENCE GATHERING WHEN, IN PASSING THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978, IT NOTED:

WHILE LUCKILY THE UNITED STATES HAS HERETOFORE BEEN SPARED FROM THE WORST CASES OF INTERNATIONAL TERRORISM, A LACK OF INTELLIGENCE CONCERNING IT MAY, AS OTHER COUNTRIES CRACK DOWN, PRESENT THE UNITED STATES AS AN INVITING TARGET.

THE BUREAU HAS ACTED ACCORDINGLY AND HAS ACTED EFFECTIVELY.

DOES ANY OF THIS EXCUSE THE MISTAKES THAT WERE MADE IN THE CISPES INVESTIGATION? OF COURSE NOT. THE MANY

SUCCESSSES OF THE BUREAU'S TERRORISM PROGRAM DO NOT JUSTIFY WHAT HAPPENED IN THE CISPES INVESTIGATION.

BUT IT IS WELL TO REMEMBER THAT WHEN THE INFORMATION WE HAVE POINTS TOWARD EVEN A REMOTE POSSIBILITY OF TERRORISM ON THESE SHORES, IT IS THE BUREAU'S SWORN DUTY TO INVESTIGATE THE MATTER FULLY. IN THE OVERWHELMING MAJORITY OF CASES, I BELIEVE THAT THE BUREAU'S TERRORISM INVESTIGATIONS HAVE BEEN CONDUCTED THOROUGHLY AND CAPABLY--PROPERLY FOCUSED, FOUNDED ON SOLID EVIDENCE, AND CONCERNED ONLY WITH TERRORISM. AFTER A THOROUGH INQUIRY, I AM CONVINCED THAT THE CISPES INVESTIGATION WAS AN ABERRATION FROM THIS PATTERN--AN UNFORTUNATE ALIGNING OF MISTAKES IN JUDGMENT AT SEVERAL LEVELS THAT CUMULATIVELY LED TO AN INVESTIGATION OF WHICH THE FBI IS NOT PROUD.

WHAT MATTERS NOW, OF COURSE, IS NOT THE PAST BUT THE FUTURE. THE CISPES INVESTIGATION TAUGHT THE BUREAU (AND ME) A GREAT MANY LESSONS, AND I WOULD LIKE TO SHARE THOSE LESSONS WITH YOU BY DESCRIBING FOR YOU NOW THE CHANGES THAT I HAVE ORDERED BE MADE IN RESPONSE TO THE INQUIRY.

I SHOULD FIRST MENTION THAT THE INQUIRY REPORT PRESENTED TO ME BY MY INSPECTORS MADE A NUMBER OF RECOMMENDATIONS FOR CHANGES AND CORRECTIVE ACTIONS. AFTER CAREFUL REVIEW, I CONCLUDED THAT IT WAS NECESSARY TO GO

BEYOND WHAT WAS RECOMMENDED IN THIS VERY THOROUGH REPORT. THEREFORE, I HAVE BOTH IMPLEMENTED THE ACTIONS AND CHANGES RECOMMENDED IN THE REPORT, WITH MODIFICATIONS IN SOME INSTANCES TO BROADEN THEIR EFFECT, AND HAVE ALSO IMPLEMENTED A NUMBER OF MY OWN POLICY AND PROCEDURAL CHANGES.

FIRST, A BASIC CONCLUSION: THE ATTORNEY GENERAL GUIDELINES APPLICABLE TO INTERNATIONAL TERRORISM INVESTIGATIONS WERE PRIMARILY DESIGNED TO GIVE GUIDANCE IN FOREIGN COUNTERINTELLIGENCE INVESTIGATIONS. THE GUIDELINES DO NOT CONTAIN SUFFICIENT GUIDANCE AND SUFFICIENT SPECIFICITY REGARDING INTERNATIONAL TERRORISM INVESTIGATIONS OF GROUPS THAT ARE PRIMARILY COMPOSED OF PERSONS IN THE UNITED STATES. FOR EXAMPLE, THE GUIDELINES DO NOT DESCRIBE THE EXTENT TO WHICH LEADERS AND RANK-AND-FILE MEMBERS MAY BE INVESTIGATED DURING AN INTERNATIONAL TERRORISM INVESTIGATION OF A GROUP TO WHICH THEY BELONG. NOR IS THERE SPECIFIC GUIDANCE REGARDING INTERNATIONAL TERRORISM INVESTIGATIONS OF FAIRLY BROADLY-BASED GROUPS LIKE CISPES.

FOR THAT REASON, I HAVE ASKED THE ATTORNEY GENERAL TO APPROVE THE FORMATION OF A DEPARTMENT OF JUSTICE/FBI JOINT WORKING GROUP TASKED WITH MAKING RECOMMENDATIONS TO THE ATTORNEY GENERAL ON MODIFICATION OF THE GUIDELINES TO

ADDRESS SPECIFICALLY INTERNATIONAL TERRORISM INVESTIGATIONS OF GROUPS. I HAVE ASKED THE ATTORNEY GENERAL TO APPOINT MARY LAWTON, COUNSEL TO THE ATTORNEY GENERAL FOR INTELLIGENCE POLICY AND REVIEW--WITH WHOM YOU ARE ALL FAMILIAR--TO CHAIR THIS GROUP. MY EXPECTATION IS THAT THIS GROUP WILL DEVELOP FOR THE ATTORNEY GENERAL ADDITIONAL GUIDELINE PROVISIONS THAT WILL FURNISH THE GUIDANCE NECESSARY FOR THESE TYPES OF INVESTIGATIONS.

IT WAS ALSO APPARENT THAT THE REVIEW AND APPROVAL PROCESSES FOR THE CISPES INVESTIGATION WERE INSUFFICIENT AND WERE CARRIED OUT AT TOO LOW A LEVEL, GIVEN THE SENSITIVITY OF THIS TYPE OF INVESTIGATION. I HAVE INSTITUTED A NUMBER OF CHANGES TO RECTIFY THIS PROBLEM.

PRINCIPALLY, ALL INTERNATIONAL TERRORISM INVESTIGATIONS WILL NOW HAVE TO BE APPROVED AT A HIGHER LEVEL. I HAVE INSTRUCTED THAT THE APPROVAL LEVEL FOR INTERNATIONAL TERRORISM INVESTIGATIONS OF GROUPS BE AT THE SECTION CHIEF LEVEL AT FBI HEADQUARTERS. (AT THE INCEPTION OF THE CISPES INVESTIGATION, THE APPROVAL LEVEL RESTED AT A LOWER LEVEL WITH THE OPERATIONAL SUPERVISOR.) THIS IS A SIGNIFICANT ELEVATION OF THE APPROVAL LEVEL AND BRINGS EACH OF THESE CASES TO THE ATTENTION OF THE INDIVIDUAL RESPONSIBLE FOR THE NATIONWIDE MANAGEMENT OF THIS IMPORTANT INVESTIGATIVE PROGRAM.



IN ADDITION, I AM REQUIRING THAT THE SECTION CHIEF REVIEW INTERNATIONAL TERRORISM INVESTIGATIONS OF GROUPS EVERY SIX MONTHS AND THAT THE DEPUTY ASSISTANT DIRECTOR HAVING OVERSIGHT OF THE TERRORISM PROGRAM REVIEW EACH OF THESE CASES ANNUALLY. INCLUDED IN THIS REVIEW MUST NOW BE SEVERAL SPECIFIC ASSESSMENTS THAT PREVIOUSLY WERE NOT REQUIRED, WHICH I BELIEVE WAS A FLAW IN THE REVIEW PROCESS. FOR EXAMPLE, THE REVIEWS MUST NOW INCLUDE AN ASSESSMENT OF THE INVESTIGATIVE OBJECTIVES OF EACH CASE AND A DETERMINATION OF WHETHER THE INVESTIGATION IS CONSISTENT WITH AND HEADED TOWARD ACCOMPLISHMENT OF THESE OBJECTIVES. THE MISSION MUST BE CRYSTAL CLEAR AND SHARPLY FOCUSED.

AS MENTIONED EARLIER, I CONCLUDED THAT THE MECHANISM DESIGNED FOR REVIEW OF INTERNATIONAL TERRORISM CASES, PARTICULARLY OF GROUPS (INCLUDING REVIEW BY THE DEPARTMENT OF JUSTICE'S OFFICE OF INTELLIGENCE POLICY AND REVIEW), DID NOT ALERT REVIEWING OFFICIALS TO THE FACT THAT PARTICULARLY SENSITIVE INVESTIGATIVE ACTIVITIES WERE BEING UNDERTAKEN AND DID NOT ALERT THEM TO THE FULL SCOPE OF AN INVESTIGATION. FOR EXAMPLE, IN THE CISPES INVESTIGATION THERE WERE INSTANCES WHEN ACTIVITIES THAT WERE ESSENTIALLY POLITICAL IN NATURE WERE SURVEILLED. I HAVE FURTHER REFINED THE REVIEW AND APPROVAL PROCESS TO ENSURE THAT HIGHER LEVEL OFFICIALS ARE AWARE OF SUCH SURVEILLANCES (AND

OF OTHER SENSITIVE INVESTIGATIVE ACTIVITIES) AND TO ENSURE THAT IF THESE SURVEILLANCES AND ACTIVITIES DO TAKE PLACE, THEY ARE FULLY JUSTIFIED.

BY WAY OF FURTHER EXAMPLE, AS MENTIONED BEFORE, MY INSPECTORS CONCLUDED THAT THE OCTOBER, 1983, COMMUNICATION TO ALL 59 FIELD OFFICES UNNECESSARILY BROADENED THE SCOPE OF THE CISPES INVESTIGATION AND THAT IT WAS ORDERED WITHOUT SUFFICIENT PRIOR REVIEW. ACCORDINGLY, I HAVE INSTRUCTED THAT CLEAR AND CONCISE CRITERIA BE DEVELOPED FOR JUDGING THE APPROPRIATENESS OF THE SCOPE OF ALL INTERNATIONAL TERRORISM INVESTIGATIONS AND THAT THE SCOPE OF SUCH INVESTIGATIONS BE REGULARLY REVIEWED.

I ALSO CONCLUDED THAT DURING THE CISPES INVESTIGATION THERE WAS NO REQUIREMENT THAT HIGHER LEVEL OFFICIALS BE ADVISED WHEN CERTAIN INVESTIGATIVE ACTIVITIES (THAT BY THEIR VERY NATURE MUST BE SCRUTINIZED CLOSELY) WERE BEING USED. SUCH ACTIVITIES INCLUDE SURVEILLANCES AT PUBLIC RALLIES, ATTENDANCE AT MEETINGS, AND OTHER SIMILAR INVESTIGATIVE TECHNIQUES. ALTHOUGH I WILL DISCUSS THIS TOPIC IN GREATER DETAIL IN A MOMENT, I WOULD LIKE TO MENTION THAT EACH TIME A DOCUMENT IS PREPARED SEEKING APPROVAL OR REVIEW OF THESE TYPES OF INVESTIGATIONS, INCLUDING DOMESTIC SECURITY INVESTIGATIONS, I WILL NOW REQUIRE INCLUSION OF A DESCRIPTION OF THE INVESTIGATIVE

ACTIVITIES THAT HAVE BEEN UNDERTAKEN TO DATE. IF SENSITIVE TECHNIQUES ARE TO BE UTILIZED--AND OFTEN THEY MUST BE UTILIZED--HIGHER-LEVEL OFFICIALS WILL BE ABLE TO DETERMINE (AND REQUIRED TO DETERMINE) WHETHER A PARTICULAR INVESTIGATION MERITS THE USE OF SUCH TECHNIQUES.

I BELIEVE THAT THESE AND OTHER CHANGES WILL ALLOW HIGH-LEVEL BUREAU OFFICIALS, AS WELL AS THE DEPARTMENT OF JUSTICE, TO ASSESS AND EVALUATE THE FOCUS, THE BASIS, AND THE SCOPE OF THESE INVESTIGATIONS. THESE AND OTHER CHANGES WILL THEREBY HELP MAKE CERTAIN THAT DIRECTION AND GUIDANCE ARE PROPER AND THAT ANY SENSITIVE TECHNIQUES BEING USED ARE APPROPRIATE AND JUSTIFIED.

DURING THE CISPES INVESTIGATION THERE WERE INSTANCES WHEN AGENTS IN THE FIELD OFFICES ASKED HEADQUARTERS FOR GUIDANCE ON THE APPLICABILITY OF THE GUIDELINES AND ON THE WISDOM OF CONTINUING CERTAIN ASPECTS OF THE INVESTIGATION. IT IS VITAL THAT THESE TYPES OF FIELD INQUIRIES COME TO THE ATTENTION OF HIGH-LEVEL BUREAU OFFICIALS. FOR THAT REASON, I HAVE INSTRUCTED BOTH OF THE FBI'S INVESTIGATIVE DIVISIONS TO MAKE CERTAIN THAT TRACKING AND MONITORING SYSTEMS ARE IN PLACE TO ENSURE THAT THESE REQUESTS--AND PARTICULARLY REQUESTS FOR GUIDANCE ON JUSTIFICATION, FOCUS, AND THE USE OF SENSITIVE TECHNIQUES--ARE BROUGHT TO THE ATTENTION OF HIGHER LEVEL BUREAU

OFFICIALS. I HAVE SPECIFICALLY INSTRUCTED THAT BUREAU COMMUNICATIONS FORMS BE REDESIGNED TO MAKE IT EASY TO DETERMINE WHETHER A RESPONSE (FOR EXAMPLE, GUIDANCE) IS REQUIRED OR WHETHER A COMMUNICATION IS MERELY FOR INFORMATIONAL PURPOSES. THIS WILL HELP MAKE SURE THAT HEADQUARTERS PROVIDES TIMELY HIGH-LEVEL GUIDANCE WHEN IT IS NECESSARY TO DO SO.

PROBABLY THE MOST CRITICAL AREA REQUIRING ATTENTION WAS HOW TO CONDUCT INVESTIGATIONS OF GROUPS WHERE LEGITIMATE FIRST AMENDMENT ACTIVITIES WERE BEING UNDERTAKEN BY THE RANK-AND-FILE MEMBERS. I FOUND THAT, IN THE CISPES INVESTIGATION, GUIDANCE ON DEALING WITH ACTIVITIES PROTECTED BY THE FIRST AMENDMENT WAS GIVEN TO THE FIELD OFFICES IN MANY INSTANCES. IN SPITE OF THIS, HEADQUARTERS RECEIVED REPORTS ON SUCH ACTIVITIES THAT FAILED TO SPECIFY WHY THE REPORTS WERE NECESSARY.

WHAT THIS TELLS ME IS THAT SUFFICIENT TRAINING IN THIS AREA IS NOT BEING PROVIDED TO OUR PERSONNEL. FOR THAT REASON, I HAVE INSTRUCTED THAT ADDITIONAL TRAINING ON HOW TO DEAL WITH ACTIVITIES PROTECTED BY THE FIRST AMENDMENT BE GIVEN TO ALL AGENTS, NATIONWIDE. THIS WILL INCLUDE TRAINING FOR NEW AGENTS, TRAINING FOR MANAGERS, AND TRAINING FOR AGENTS WORKING THESE TYPES OF CASES. I WANT TO DO EVERYTHING I CAN TO REMIND PERSONNEL AT ALL LEVELS

THAT INVESTIGATIONS MUST NOT UNREASONABLY INFRINGE ON ACTIVITIES PROTECTED BY THE FIRST AMENDMENT.

CLOSELY COUPLED WITH THIS WILL BE THE DEVELOPMENT OF WRITTEN GUIDANCE CONCERNING ACTIVITIES PROTECTED BY THE FIRST AMENDMENT AND DEVELOPMENT OF WRITTEN GUIDANCE CONCERNING THE COLLECTION AND PRESERVATION OF PRINTED PUBLIC SOURCE MATERIAL. FURTHER, I HAVE INSTRUCTED THAT THE BUREAU'S LEGAL COUNSEL DIVISION PARTICIPATE FROM NOW ON IN PROVIDING INSTRUCTIONS IN CASES WHERE THE POTENTIAL EXISTS FOR CONFRONTING LEGITIMATE FIRST AMENDMENT ACTIVITIES IN THE COURSE OF THE INVESTIGATION. AS I MENTIONED BEFORE, IT IS CRITICAL THAT SENIOR MANAGERS AND THE DEPARTMENT OF JUSTICE BE FULLY AWARE OF PRECISELY WHICH INVESTIGATIVE ACTIVITIES HAVE BEEN UNDERTAKEN, IN ANY PARTICULAR INVESTIGATION, WHEN THEY REVIEW AND/OR APPROVE THAT INVESTIGATION. THE NEW REQUIREMENT, MENTIONED A MOMENT AGO, THAT DESCRIPTIONS BE INCLUDED IN EVERY REVIEW AND APPROVAL DOCUMENT WILL HASTEN THE SOLUTION OF THIS PROBLEM.

MY INQUIRY CONCLUDED THAT A NUMBER OF DEFICIENCIES IN THE HANDLING AND MANAGEMENT OF FRANK VARELLI RESULTED IN A FAILURE TO INVESTIGATE VARELLI'S BACKGROUND PROPERLY AND RESULTED IN UNDUE RELIANCE BEING PLACED ON THE INFORMATION HE PROVIDED. CONSEQUENTLY, I HAVE DONE THE FOLLOWING:

FIRST, I HAVE INSTRUCTED THAT THE INTELLIGENCE DIVISION ESTABLISH A UNIT DEDICATED TO MANAGING ALL FOREIGN COUNTERINTELLIGENCE AND INTERNATIONAL TERRORISM ASSETS IN A MANNER SIMILAR TO THE WAY IN WHICH ALL CRIMINAL INFORMANTS ARE NOW BEING MANAGED. I HAVE TAKEN THIS ACTION TO MAKE CERTAIN THAT OUR ASSETS RECEIVE UNIFORM AND INDEPENDENT OVERSIGHT, THEREBY VASTLY INCREASING THE LIKELIHOOD THAT DEFICIENCIES OF THE TYPE REVEALED IN THE VARELLI CASE WILL BE DETECTED BY HEADQUARTERS AND ACTED UPON PROMPTLY.

SECOND, I HAVE INSTRUCTED THAT A NUMBER OF ADDITIONAL PROCEDURAL CHANGES BE INSTITUTED TO ENSURE THAT UNDUE RELIANCE WILL NOT BE PLACED ON INFORMATION PROVIDED BY ASSETS. FOR EXAMPLE, THERE WERE NUMEROUS INSTANCES WHERE VARELLI PROVIDED INFORMATION TO THE FBI THAT, UPON REEXAMINATION, WAS DETERMINED NOT TO BE FIRSTHAND INFORMATION BUT WAS IN FACT PUBLIC SOURCE INFORMATION. ACCORDINGLY, I WILL NOW REQUIRE THAT INFORMATION RECEIVED FROM ASSETS AND INFORMANTS BE SET FORTH IN A MANNER THAT WILL SHOW, TO THE GREATEST EXTENT POSSIBLE, WHERE THE ASSET OR INFORMANT OBTAINED THE INFORMATION. THUS, IF THERE IS NO INDICATION IN A DOCUMENT AS TO THE ORIGINAL SOURCE OF AN ASSET'S INFORMATION, THAT INFORMATION WILL NOW BE JUDGED ACCORDINGLY.

THIRD, WHENEVER THE FBI BEGINS DEVELOPMENT AND UTILIZATION OF AN ASSET, I HAVE INSTRUCTED THAT HIS BONA FIDES BE SYSTEMATICALLY AND THOROUGHLY CHECKED AND THAT ANY INFORMATION PROVIDED BY THE ASSET BE SYSTEMATICALLY AND THOROUGHLY ANALYZED. THIS MEANS THAT INFORMATION ABOUT AN ASSET AND INFORMATION FROM AN ASSET WILL BE SUBJECTED TO UNIFORM ANALYSIS BEFORE BEING CHARACTERIZED AS "RELIABLE." THE CISPES INVESTIGATION SAW UNDUE RELIANCE PLACED ON INFORMATION THAT HAD NOT BEEN SHOWN TO BE RELIABLE AND ON CHARACTERIZATION OF AN ASSET AS BEING RELIABLE WHEN, IN FACT, THAT HAD NOT YET BEEN ESTABLISHED. MY CHANGES OUGHT TO HELP PREVENT THIS PROBLEM FROM HAPPENING AGAIN.

IT HAS ALSO BECOME CLEAR TO ME THAT INTERNATIONAL TERRORISM INVESTIGATIONS, BECAUSE OF THEIR POTENTIAL FOR IMPACTING ON CIVIL AND CONSTITUTIONAL RIGHTS, WARRANT CLOSER EXAMINATION DURING THE PERIODIC REVIEWS OF FIELD OFFICE OPERATIONS BY THE BUREAU'S INSPECTION DIVISION. THEREFORE, I HAVE INSTRUCTED THE BUREAU'S INSPECTION DIVISION TO DEVELOP NEW AUDIT PROCEDURES AND TO PROVIDE MORE IN-DEPTH REVIEW OF THE ASSET AND INFORMANT PROGRAMS, INCLUDING REVIEW OF SUCH MATTERS AS THE BONA FIDES AND RELIABILITY OF ASSETS AND COMPLIANCE WITH RELEVANT RULES AND REGULATIONS. I HAVE ALSO INSTRUCTED THAT, DURING EACH FIELD AND HEADQUARTERS INSPECTION, ALL OPEN INTERNATIONAL TERRORISM INVESTIGATIONS OF GROUPS BE REVIEWED NOT ONLY FOR

COMPLIANCE WITH APPLICABLE GUIDELINES, RULES AND REGULATIONS, BUT ALSO TO DETERMINE WHETHER THE SCOPE AND FOCUS OF THESE INVESTIGATIONS ARE APPROPRIATE AND PROPERLY DOCUMENTED. AS PART OF THIS PROCESS, THERE WILL BE INCREASED TRAINING AND SPECIALIZATION FOR OUR INSPECTORS AND THEIR STAFFS TO ENSURE THE ADEQUACY OF THESE REVIEWS.

IN ADDITION TO THE NEED I MENTIONED EARLIER FOR SIGNIFICANTLY INCREASED TRAINING IN REGARD TO FIRST AMENDMENT ISSUES, IT ALSO BECAME APPARENT TO ME THAT TRAINING IN OTHER AREAS MUST BE ENHANCED. FOR EXAMPLE, DURING THE CISPES INVESTIGATION CERTAIN SUPERVISORS WHO WERE ENTRUSTED WITH RESPONSIBILITY FOR SUPERVISION OF VARIOUS ASPECTS OF THE INVESTIGATION CLEARLY DID NOT HAVE SUFFICIENT FAMILIARITY WITH THE TERRORISM PROGRAM TO ENSURE MEANINGFUL CASE SUPERVISION. FOR THAT REASON, I HAVE INSTRUCTED THAT NEW FIELD SUPERVISORS (AND SUPERVISORS NEW TO A PARTICULAR PROGRAM) RECEIVE A COMPREHENSIVE BRIEFING ON ALL PROGRAMS UNDER THEIR RESPONSIBILITY. THIS WILL INCLUDE MAKING CERTAIN THAT THEY ARE FAMILIAR WITH PERTINENT GUIDELINES AND REFERENCE MATERIAL TO HELP THEM DEAL WITH THE TYPES OF ISSUES PRESENTED BY THE CISPES INVESTIGATION.

IN A RELATED MATTER, TO MAKE SURE THAT THE FBI LEARNS FROM AND CONTINUES TO BENEFIT FROM THE LESSONS



LEARNED IN THE CISPES CASE, I HAVE INSTRUCTED THAT THE FINDINGS OF MY INQUIRY BE BROUGHT TO THE ATTENTION OF ALL SENIOR MANAGERS IN THE FBI SO THAT THEY UNDERSTAND WHAT PRECIPITATED THE NEED FOR THE CHANGES I HAVE INSTITUTED. I INTEND TO MAKE CERTAIN THAT THE DEFICIENCIES IN THE CISPES INVESTIGATION AND IN THE OPERATION OF FRANK VARELLI ARE INCLUDED IN RELEVANT TRAINING PROGRAMS.

I INDICATED EARLIER THAT NAMES OF PERSONS HAVING NOTHING TO DO WITH INTERNATIONAL TERRORISM ENDED UP IN FBI CASE FILES AS PART OF THE CISPES INVESTIGATION. I SHOULD MENTION THAT MOST OF THOSE NAMES ARE NOT INDEXED IN THE CENTRAL FILING SYSTEM AND ARE, AS A PRACTICAL MATTER, IRRETRIEVABLE. NONETHELESS, ALTHOUGH WE ARE OBLIGATED TO MAINTAIN SUCH FILES, THE BUREAU IS PERFECTLY WILLING TO CONSIDER, ON A CASE-BY-CASE BASIS, REQUESTS FROM INDIVIDUALS OR GROUPS WHO WISH TO HAVE THEIR NAMES EXPUNGED.

THE PRIMARY CONCERN HERE IS NOT THE EXISTENCE OF THOSE NAMES, BUT RATHER WHAT DISSEMINATION IS MADE OF THOSE NAMES. AS A GENERAL PROPOSITION, I BELIEVE THE FBI SHOULD TAKE SPECIAL CARE IN DISSEMINATION OF INFORMATION ABOUT PEOPLE WHOSE NAMES ENDED UP IN FILES MERELY BECAUSE THEY ATTENDED CISPES MEETINGS OR PARTICIPATED IN CISPES ACTIVITIES. ONE ROUTINE DISSEMINATION OF FILE

INFORMATION COMES WHEN OTHER GOVERNMENT AGENCIES REQUEST FBI RECORD CHECKS IN CONNECTION WITH EMPLOYMENT MATTERS. IT WOULD OBVIOUSLY BE INAPPROPRIATE, IN RESPONDING TO SUCH A REQUEST, TO MAKE A DISCLOSURE THAT WOULD INDICATE, DIRECTLY OR BY IMPLICATION, THAT SOMEONE WHO SIMPLY ATTENDED A CISPES RALLY OR HAD CONTACT WITH THE GROUP IN ANOTHER WAY WAS SOMEHOW SUPPORTING INTERNATIONAL TERRORIST ACTIVITIES. CONSEQUENTLY, I HAVE ORDERED SENIOR PERSONNEL AT THE BUREAU TO DEVELOP CRITERIA FOR RESTRICTING DISSEMINATION OF INFORMATION IN CISPES FILES (EXCEPT IN RESPONSE TO FREEDOM OF INFORMATION ACT AND PRIVACY ACT REQUESTS, WHICH WILL NOT BE AFFECTED).

I HAVE ALSO INSTRUCTED THAT NUMEROUS OTHER POLICY CHANGES BE MADE AND ACTIONS OF A LESS SIGNIFICANT NATURE BE TAKEN TO ASSIST OUR MANAGERS IN THE DAY-TO-DAY OPERATION OF THE BUREAU. THESE CHANGES RANGE FROM INCREASED EXAMINATION OF INDEXING PROCESSES TO REEXAMINATION OF THE USEFULNESS OF THE FBI FILE SOMETIMES REFERRED TO AS THE "TERRORIST PHOTOGRAPH ALBUM."

FINALLY, AFTER CAREFUL CONSIDERATION, I HAVE DECIDED TO IMPOSE DISCIPLINARY SANCTIONS AGAINST SIX FBI EMPLOYEES AT THE SUPERVISOR, UNIT CHIEF, AND SECTION CHIEF

unless there has been a very careful review and a very definite reason requiring it to do so.

Mr. CONYERS. I would like to first of all, thank you for that response.

Do you think that that would satisfy the demands of the Center for Constitutional Rights on this subject, allowing each person to individually make this request? Does that accommodate the discussion that is going on presently?

Mr. SESSIONS. I have not heard that discussion. It may not facilitate it precisely, but it will deal with those individuals or groups who wish to have those matters expunged.

I am prepared to deal with those and take those requests, and I think the bureau is bound to do that because it must try to fairly deal with the circumstances where those names came into files, where even though they were not indexed, they may still be contained within those files. And, of course, you know a great deal of it was public source information.

Mr. CONYERS. Yes. Well, let's go the second question. I know we will be on a time limit.

Mr. SESSIONS. Yes, sir.

Mr. CONYERS. How do we get to the decision that the FMLN becomes a terrorist organization, while the contras are not a terrorist organization. Both are rebel groups within their country.

Where is that decision made within the FBI?

Mr. SESSIONS. I think it is important for all of us to recognize that there are, and I am sure you do, Congressman, a number of investigations of the contra organization that are of a criminal nature that relate to specific acts that were alleged to have been criminal acts.

I wrote down for myself several points that I think differentiate the contras from the CISPES, from an investigative point, because I felt it would be of interest to you. So far as I know, the contras have not directed activities against Americans and American interests. The FMLN, on the other hand, has directed bombings and assassination plots against U.S. persons and U.S. interests.

And third, some of the activities in the United States in support of the contras have been investigated when violations of United States laws are suspected. And there are a number of those that have continued.

I think we have an absolute obligation to investigate those alleged violations of the United States law, and it is done. I also know that the American interests as reflected by the expressions of the Congress or of the Executive Branch, have decided which countries are, in fact, recognized, and which governments are recognized and, therefore, that is a part of the decision-making process as to where the American interest lies.

Mr. CONYERS. Well, I would like to continue on this discussion with you, if not today, through correspondence, because I really want to research this more than I have been able to, to satisfy myself with these responses.

Finally, let me indicate that I am concerned about the administrative violations finding of the FBI agents that have been suspended. I need to know a lot more about this before I am prepared to say that there was not a systemic problem, or that they were

Mr. EDWARDS. Well, thank you, very much, Mr. Director. And again, I congratulate you on a very hard-hitting statement and the work you did, and especially the work that Mr. Toohey and his team performed. It was really outstanding.

Mr. SESSIONS. Thank you, sir.

Mr. EDWARDS. We will be operating pursuant to House Rules under the five-minute rule.

I yield to the gentleman from Michigan, Mr. Conyers.

Mr. CONYERS. Thank you, Mr. Chairman.

The 18th Annual Congressional Black Caucus event is going on, and we are having hearings in the Full Committee of the Judiciary, so I apologize, Director Sessions, for not being present for your testimony. This is an incredibly important hearing.

Mr. SESSIONS. Yes, sir.

Mr. CONYERS. I feel that it is a cumulation of a great deal of work by other organizations, the CISPES and others. This subcommittee and its staff, I understand there has been a great deal of interaction and cooperation in going through files.

So I would like to just try to come to an understanding about the disposition of the CISPES files that probably have a lot of names of people in them, that have just come to your attention, without any real reason for them to be under FBI investigation. And then I would like to discuss how we determine what a terrorist group is, and what seems to trigger the criminal standard versus the support for terrorism standard, which puts investigations on one track or the other.

Mr. SESSIONS. Yes, sir.

Mr. CONYERS. What is the current plan and what is the debate and the disposition of these files?

Mr. SESSIONS. As you may be aware, Congressman Conyers, we are, of course, governed by the Federal Records Act and by the Privacy Act, and we are also, of course, involved with the National Archives and Records Administration rules that require the maintenance of the particular records that are involved.

I took the time, because I thought it would be of great interest to the committee, to gain some information about those, and I find that the importance of that to the historical record is significant. The CISPES investigation, as you know, is a foreign counterintelligence terrorism investigation.

It also, therefore, meets one of the narrow standards, that is the National Archives and Records Administration standards for exceptional case files, since it was mentioned in FBI testimony before a committee of Congress. I think it is likely for that reason, that under the narrow—there are maybe some question about whether they would approve a request that CISPES files be expunged.

I think that you may not have been in the room at the moment that I read the part of my statement indicating that we recognize that individuals may well want to pursue requests for expungement, and we are prepared to consider those very carefully.

I also believe that you may not have been present when I read it, about the circumstance where individual's names might come up in connection with other requests, that we have established a committee to very carefully, a working group, to very carefully devise guidelines that will make sure that those names are not released

IN CONCLUSION, I BELIEVE THAT THE CHANGES I HAVE SET FORTH FOR YOU TODAY REPRESENT A SIGNIFICANT IMPROVEMENT OF FBI MANAGEMENT PROCEDURES AND POLICIES, AND I BELIEVE THAT THESE CHANGES SUBSTANTIALLY INCREASE THE LIKELIHOOD THAT FUTURE CISPES CASES WILL NOT OCCUR.

I WILL NOW BE HAPPY TO TRY TO ANSWER ANY QUESTIONS YOU MAY HAVE ON WHAT MY INQUIRY FOUND AND ON WHAT I HAVE DONE. AS I KNOW YOU ARE AWARE, I CANNOT DISCUSS CLASSIFIED INFORMATION IN OPEN SESSION, BUT I WILL OF COURSE BE HAPPY TO ANSWER FOR THE CLASSIFIED RECORD ANY QUESTIONS YOU MAY HAVE PERTAINING TO SUCH INFORMATION.

THANK YOU, MR. CHAIRMAN.

LEVELS FOR THEIR PERFORMANCE DURING THE CISPES INVESTIGATION. BOTH FIELD AND HEADQUARTERS PERSONNEL ARE INVOLVED. IN THREE OF THESE CASES, THE INDIVIDUALS ARE BEING FORMALLY CENSURED, A SANCTION OF CONSIDERABLE GRAVITY WITHIN THE FBI. IN THE REMAINING THREE CASES, EACH OF THOSE INVOLVED HAS BEEN CENSURED PLACED ON PROBATION, AND SUSPENDED FROM DUTY FOR FOURTEEN CALENDAR DAYS. A SEVENTH EMPLOYEE, WHOSE PERFORMANCE WOULD IN ALL LIKELIHOOD HAVE MERITED DISMISSAL, HAS RESIGNED.

LET ME MAKE IT VERY CLEAR THAT I AM DISCIPLINING THESE INDIVIDUALS SOLELY BECAUSE OF THE MANAGERIAL OR SUPERVISORY INADEQUACIES DISPLAYED BY THEM DURING THE CISPES INVESTIGATION. I HAVE SEEN NO EVIDENCE WHATSOEVER THAT THE CONDUCT IN QUESTION WAS EITHER ILLEGAL OR MOTIVATED BY ANY IMPROPER PURPOSE.

AT THE SAME TIME, THE MISTAKES IN JUDGMENT THAT TOOK PLACE DURING THE CISPES INVESTIGATION WERE SERIOUS ONES, AND I CANNOT EMPHASIZE TOO STRONGLY MY FIRM CONVICTION THAT THERE IS NO PLACE FOR SUCH MISTAKES IN THE WORK OF THE FBI. THE SANCTIONS I AM IMPOSING ARE INTENDED TO CONVEY THAT CONVICTION WITH CLARITY AND VIGOR.

acting under direction, because what we are doing, we are saying this is an episodic situation. We are all sorry that it happened. It is very grave.

But in the end, it is the way we dealt with Iran-Contra. There were a few bad apples in the bunch, but there wasn't any systemic problem going on here. And I think there is a relationship between the way people analyze both those situations, and I would have felt much better and far more supportive had you come back to tell me that this was something more than just administrative mess up. Because that let's everybody off the hook except six or seven people, and that is what bothers me about how we are wrapping up years of debate about CISPES, and American citizens having their First Amendment rights very seriously involved and interrupted.

Mr. SESSIONS. I quite agree with you that you have to make an evaluation as to whether or not it is systemic or is an aberration. I believe that it was an aberration, Congressman. And I believe that there was negligence, if not great negligence involved at the levels I identified.

For example, at the very beginning, the establishment of Mr. Varelli as a reliable source, an asset, and the checking out of his bona fides was not done. I think that is an aberration, I think that does not happen on a regular basis. It does happen; true. And when it does happen it needs to be dealt with appropriately.

I think the review of those requirements was not properly carried out, and has to be. So I do believe that it is not systemic and it is an aberration. But the volumes of material made available to the committee, I hope will satisfy you of the review and the thoroughness of it.

Mr. CONYERS. It seems to me that anyone could have determined Varelli's reliability. I mean, I don't know what was an aberration about that.

I think that somebody deliberately said, I mean, everybody knows about him. I mean, he is nationally known for his unreliability. So I don't know how we put that in the accident category. That is what I am saying.

Mr. SESSIONS. I don't think we put it in an accident category now. We might well have if we looked back at 1981 and 1982, recognized that he should have been more carefully and thoroughly checked out, and those things would have been discovered had it been checked out. I quite agree with you.

Mr. CONYERS. Thank you, Mr. Chairman.

The gentleman from Wisconsin.

Mr. SENSENBRENNER. Director Sessions, in your testimony before the Senate Intelligence Committee and this subcommittee, you said that, quote, "absent the information provided by Frank Varelli, there would not have been sufficient predication for an international terrorism investigation in CISPES," unquote.

In the Washington Times June 3, 1988 article, you reportedly said at a luncheon meeting with editors and reporters at the Times, quote, "I believe that when I am able to discuss it it will be reflected there was a sufficient and proper predication for the investigation," end quote.

My question is, absent information from Varelli, was there credible information from other sources that could have provided a suf-

ficient predication for an international terrorism investigation of CISPES?

Mr. SESSIONS. My belief is, Mr. Congressman, that there could have been. There was not, and Mr. Toohey can discuss that more with you. But there was, as I understand it, additional information then available.

The conclusion was reached by Mr. Toohey and his group that absent the Varelli information that there would not have been sufficient predication even though you took into account that additional information. Now Mr. Toohey may be able to clarify it further.

Mr. SENSENBRENNER. How do you account for the difference in your opinion between that which was reported in the Washington Times on June 3rd and what you said here today?

Mr. SESSIONS. What I believe is that I would hope there would have been sufficient predication and that, in fact, absent the Varelli testimony there would be other sufficient predication information. I believe now that absent the Varelli information there would not have been sufficient predication.

Mr. SENSENBRENNER. The FBI has found that CISPES had no terrorist links. In light of this, do you have any reason to doubt the April 1985 testimony of then Director Webster before this subcommittee that there were quote, "a wide range of individuals engaged in CISPES, including some in whom we have a legitimate independent foreign counter intelligence interest?"

Mr. SESSIONS. I have no reason to dispute that. I do not know what information was available to him.

Certainly at that time he had not had the complete review because it had not been undertaken of the CISPES investigation.

Mr. SENSENBRENNER. Assuming that there is a full international terrorism investigation of a group, what activities of a terrorist group would you choose not to surveil because they were essentially political in nature?

Mr. SESSIONS. If you speak of CISPES, as opposed to a terrorist group, and I presume you are speaking of CISPES, if there were, in fact, circumstances which existed where the investigation had not been broadened, we would not have been investigating out among those 180 chapters, those processes that were essentially political in nature.

We would have, in my view, been doing it in connection with the National Chapter here and those other nine or ten cities where investigations focused on chapters in those cities that were more actively involved.

In those instances, I think we still would have been reviewing those activities and surveying them to try to aid national leaders, persons who were involved or might be involved in the furthering of terrorists. Unfortunately, it was greatly broadened. That happened in October of 1983.

Mr. SENSENBRENNER. Is there any evidence that anybody's constitutional rights were violated in this investigation of CISPES?

Mr. SESSIONS. None whatsoever.

Congressman, let me take that back.

There was one instance where marginally it might be interpreted that way. I don't think it was.



But there was a publication posted on a bulletin board in the university or a college giving notice of a meeting. That brochure was removed and taken, rather than the information noted by the agent.

I guess that could come under the category of having deprived that person of the right of free expression. But that is the only instance that was reported to me from Mr. Toohey's investigation.

Mr. SENSENBRENNER. That is interesting. Next time somebody starts taking down my political yard signs, I wonder if my constitutional rights would be violated here.

Come to Wisconsin, you will see it is done all the time.

In 1979, the FBI signed a settlement providing the Institute for Policy Studies with immunity from past or present FBI monitoring, and a blanket prohibition of any future intelligence gathering on IPS by the FBI. Can you assure the subcommittee the FBI will not enter into such settlement with CISPES?

Mr. SESSIONS. There is no forum in which that has been pursued. That was as part of litigation. I am not totally familiar with it. Was it a part of litigation, sir?

Mr. SENSENBRENNER. Yes, it was.

Mr. SESSIONS. There is no litigation where that issue has been raised in connection with CISPES matters. I cannot contemplate it would happen.

Mr. SENSENBRENNER. Because of the unfavorable publicity concerning the CISPES probe, I am concerned that natural tendency in the bureau will be to raise the standard of sufficient predication for investigating CISPES or certain individuals in CISPES in the future.

Can you assure the subcommittee the standards of predication will not be raised, or CISPES-related individuals will not be treated differently from other possible investigative subjects should information warranting an investigation come to the attention of the FBI in the future?

Mr. SESSIONS. If there is, in fact, information that warrants the investigation, all groups will be treated similarly.

I believe you are aware and were present in the room when I read that part of my testimony in my statement, which indicated I have requested the Attorney General to form a working group between the Department of Justice and the FBI, and suggest it be headed by Mary Lawton, to review guidelines as it relates to this particular type of circumstance; that is, the relationship between major groups and individuals who are members of that group so that we will have better guidance in that form.

Mr. SENSENBRENNER. Thank you very much, Mr. Chairman.

So the record is complete, I would like to ask unanimous consent that the Washington Times article, which I referred to in my questioning, be inserted in the record.

Mr. EDWARDS. Without objection, so ordered.

[The information follows:]

# Sessions calls FBI probe of activist group 'proper'

By Mary Belcher  
THE WASHINGTON TIMES

FBI Director William Sessions said yesterday a newly completed internal review shows there was "sufficient and proper" reason for the bureau to probe the Committee in Solidarity with the People of El Salvador in the early 1980s.

Mr. Sessions, in a luncheon meeting with editors and reporters at The Washington Times, said he received the "voluminous" report on the propriety of the CISPES investigation from a panel of bureau officials last week.

He launched the review in February, amid charges that the FBI investigation was politically motivated and breached the civil liberties of CISPES members. The investigation was conducted during CIA Director William Webster's tenure as FBI chief.

Although Mr. Sessions declined to comment on the contents of the report, he said, "I believe that when I'm able to discuss it, it will be reflected that there was a sufficient and proper predication [for the investigation]."

"I know the American people are very concerned about the extent of it, the breadth of it, what the FBI did and didn't do," he said. "I'm happy with the report. ... There's been a very complete, thorough, unbiased examination of virtually every phase of it [the CISPES investigation]."

Lawyers for CISPES could not be reached for comment yesterday.

The FBI investigated CISPES until 1985 under its "international terrorism" guidelines, acting on a tip that the group was providing funds to the Marxist Farabundi Martí National Liberation Front, which was fighting to overthrow the Salvadoran government.

The Senate Intelligence Committee and the

House Judiciary subcommittee on civil and constitutional rights held oversight hearings last year on the extent of FBI surveillance of CISPES. Among other things, the organization has charged that the bureau since 1981 used wiretaps, informants and other means to gather information on CISPES and more than 200 groups allegedly linked to it.

Mr. Sessions is expected to discuss the internal bureau report on the probe with members of Congress later this month.

In yesterday's wide-ranging interview, Mr. Sessions also spoke about difficulties the FBI has had in investigating the highest levels of international drug-trafficking rings.

He said the bureau has identified about 250 South American drug cartels, more than 200 in Mexico, and about 110 in Italy. On the Central and South American front, however, the FBI has been able to investigate only about 44 percent of the organizations, and in Europe, only 10 percent.

"The rest have gone undealt with ... simply because of resources," he said.

The FBI in 1986 was given authority to pursue drug investigations that had previously been the exclusive domain of the Drug Enforcement Administration. The bureau, however, devotes a relatively small part of its \$1.3 billion budget to drug cases, typically pursuing only those that involve organized crime or money laundering.

Mr. Sessions endorsed the seizure of drug-trafficking assets as a major weapon in the war on drugs.

But he said he would not want to FBI to rely on seizures as a means of filling its coffers.

"It's always tempting to say, 'Boy, do I wish we had that \$90 million we seized last year,'" he said. "At the same time, there may come a time when the Congress says, 'You know, you got that \$90 million, why don't you go out and pay for your

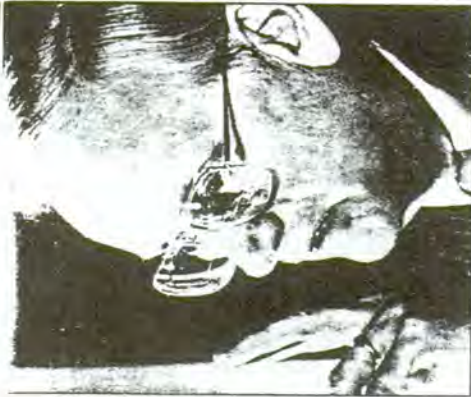


Photo by Ross D. Franklin/The Washington Times

FBI Director William Sessions is expected to discuss with members of Congress later this month the bureau's internal report of its investigation of the activities of CISPES.

whole budget? "

"I don't want to be tied to seizures as a means of gaining our livelihood," he said, predicting that such a plan would put undue priority on seizing assets and minimize other bureau activities.

Mr. Sessions said he can find "absolutely no redeeming feature" to proposals that drug use be decriminalized.

He said he does not know if a Cabinet level official overseeing the federal government's anti-drug efforts would improve them.

"I can't say that a drug czar would pull it all together," he said.

"I can say that under the National Drug Policy Board, and so far as I perceive my responsibilities at the Department of Justice, we are effectively pursuing what is our charge and responsibility."

Mr. EDWARDS. The gentleman from Wisconsin, Mr. Kastenmeier.  
Mr. KASTENMEIER. Thank you, Mr. Chairman.

I would like to compliment Director Sessions on his statement on the investigation that he commissioned with Mr. Toohey. Whether or not it will satisfy everyone, it nonetheless, was important.

The conclusions and the recommendations of the director are important. For a new director to come in, the number of difficult situations confronting him, I think is not only, I would say the action took place was courageous, because I do think it is extraordinarily difficult to come to the conclusions and make the recommendations he has made. I say that most sincerely.

Mr. SESSIONS. Thank you.

Mr. KASTENMEIER. I really don't have more than one or two questions.

I think Mr. Conyers pursued the question of differentiation between political groups, or at least dissident groups, guerrilla groups within one country or another, and what political distinction could be made. I think what he was driving at there appears to be a differentiation between groups the Administration would regard politically as terrorists, and then those other groups operating in other countries that are more consistent with the foreign policy position that the country is taking or the Administration is taking, and therefore, puts the standards in a different category.

We do understand, of course, in the case of contra aid, they may have been subject to certain criminal investigations, but they are not in the same category as, quote, "terrorist," unquote, organizations. That will, I suppose, politically always be a question.

It is a question hardly of judgment. It is question of whether the terrorism is, in fact, an appropriate category for various groups. But I suspect we will continue to have that problem.

One of the things not really dealt with here, which is parenthetical to this whole involvement, was the so-called break-ins within the United States. There would be several theories for the break-ins of churches, sanctuaries, others connected with in some form or another, perhaps, a political sympathy with respect to individuals or others relating to El Salvador.

There are theories connected to that. The theories, well, that these are just ad hoc activists that juveniles or others get into, no particular relationship to anything. Other theories were ranging all the way to the fact that the bureaucracy itself might be involved.

Personally, I don't believe either of those alternatives. But if neither of those alternatives is correct, then the question becomes, could it be Salvadoran authorities operating here, or could it be political groups in the United States that disagree with the operation or the activities of these sanctuaries?

Or conversely, could this have been carried out by others who may have been assets to the bureaucracy?

When I say that, I mean these may be arm's length assets that would be—the bureau gets information from police departments who get information from certain local assets. Who else—I have to ask myself who else would have an interest in rummaging through a church sanctuary for names or lists or the like?

There really has to be some sort of answer for that. We just don't have it. I would hope that notwithstanding the very commendatory report that has been laid before us today, that that aspect might be later gone into, Mr. Chairman, because that is still an insettling, lurking question.

I am not going to ask the director this morning, unless he cares to respond to that. But that is a tangential matter which I think is still unresolved, and does affect, perhaps, civil liberties.

Mr. EDWARDS. Until recently they were continuing in different parts of the country.

Mr. KASTENMEIER. In part of my district, Madison. I am not going to press that issue, because I think our focus this morning is on what the bureau has done and what the director has recommended in terms of procedural changes with respect to reviewing investigations of a similar nature and what action was taken with respect to the so-called CISPES investigations.

On that score, I do want to commend the director.

Mr. SESSIONS. Thank you, sir.

Mr. Chairman, I am very aware that the Chairman, among others, has requested information concerning those break-ins, and I think that is an entirely appropriate and meaningful inquiry. Our response to your May 4 letter has not yet been completed.

But in doing that, I am very aware that it is important to understand, from my point of view, the interest that you have and look at each one of those and gain all the information that we can.

To this point, the review that I have been made aware of, there are some of those now with the Department of Justice in connection with the civil rights investigation. There are in three of those, lumped in some 40 of the 100 that had been referred to earlier in your letter. But I expect to have a definitive reply for you shortly.

I do not resist at all any inquiry of that nature. It is important that those be established what those were and what those were not.

I appreciate the opportunity to do that, sir.

Mr. EDWARDS. Thank you, Mr. Director. We appreciate that. We are constantly getting inquiries, and our response is always that we are confident the FBI is not involved.

However, a lot of people write us or phone us and make specific or implied remarks to the effect that the FBI might be involved. They are devastating and irritating to have gone on month after month. And they are well over 100 now.

They all have this pattern to it. They are not real burglaries. They are taunting burglaries.

Mr. SESSIONS. I think it is important the American public know it is not the bureau. I look forward to those to be able to respond and establish from investigation that it is not, and I hope that it always is that way, and it must always be that way.

[A letter from the Director on the break-ins follow:]

**U.S. Department of Justice****Federal Bureau of Investigation**

Office of the Director

Washington, D.C. 20535

December 14, 1988

Honorable Don Edwards  
Chairman  
Subcommittee on Civil  
and Constitutional Rights  
Committee on the Judiciary  
House of Representatives  
Washington, D.C.

Dear Mr. Chairman:

On May 4, 1988, pursuant to a request by my Congressional Affairs Office (CAO), you forwarded a list of break-ins at the homes, churches and offices of persons who you stated were opposed to the Central American policy of the United States. As we understand it, the list was compiled by the Subcommittee and included incidents known to your staff, as well as incidents reported to the staff by victims. You had previously expressed concern that the break-ins presented a disturbing pattern of activity in which agents of foreign governments or Federal or local law enforcement officials may have been involved.

My CAO requested the list so that we could ensure that all incidents identified by the Subcommittee would be included in our complete review of this matter. These incidents, and the perception by some members of the public that they represent a pattern of harassment directed at critics of United States foreign policy, concern me. I directed our Criminal Investigative and Intelligence Divisions to examine all of the break-ins and to determine what bases, if any, might exist for Federal jurisdiction under the Civil Rights statutes, other applicable Federal criminal laws or statutes and guidelines defining our foreign counter-intelligence responsibilities.

We have completed an exhaustive review of this matter, which encompassed 93 break-ins dating back to November, 1983.

Honorable Don Edwards

Many of these incidents were brought to our attention by the Subcommittee. Others were identified through newspapers, police records or information provided to us by other interested members of Congress. We have attached a self-explanatory chart to this letter which sets forth the results of our inquiry into each incident.

In 31 of the 93 incidents, the information in our possession was not sufficient to conduct a records check with appropriate local law enforcement authorities. In the remaining 62 incidents we searched local law enforcement records for police reports on the incidents. We found that police reports had been filed on 49 occasions. In the remaining 13 incidents, although the information in our possession was sufficient to make an inquiry with the appropriate local law enforcement authorities, we found that no police report had been filed.

Our review disclosed that 3 of the 49 incidents were successfully solved with the arrest of a total of 4 individuals. As shown in the attached chart, these were the September 16, 1985 incident at the office of Reverend David Meyers in Guadalupe, Arizona; and the July 15 and August 3, 1986 incidents at the Old Cambridge Baptist Church, Cambridge, Massachusetts. The police reports that we analyzed on these incidents did not disclose any connection between those arrested and either foreign powers or Federal, state or local authorities. They appear to be common burglaries.

A total of 15 incidents at the International Center for Development Policy, the Central American Historical Institute and the Old Cambridge Baptist Church formed the bases for three preliminary Civil Rights inquiries by the FBI. These inquiries were authorized by the Department of Justice (DOJ) consistent with DOJ policy in regard to Civil Rights investigations. The results of these inquiries have been referred to the Civil Rights Division of the DOJ, where final decision is pending. All remaining cases where police reports were filed were also submitted to the Civil Rights Division of the DOJ, and are similarly under review. We will inform you when the decision of the DOJ on these matters is communicated to us.

Our analysis disclosed that in the 49 incidents wherein police reports were filed, thefts occurred in 26 cases. In the remaining 23 cases, either nothing was stolen, or the complainants were unable to identify any property that was stolen. The

Honorable Don Edwards

complainants in seven incidents stated that their files or offices were ransacked. In three of the incidents, the complainants stated that they believed that the United States Government was involved in the break-ins. The local law enforcement authorities noted in their reports on these three incidents that no evidence was discovered that lent credence to these beliefs.

In your letter of May 4, 1988, you expressed concern that the jurisdictional elements of the Civil Rights statutes, as interpreted by the Civil Rights Division of the DOJ, may have resulted in some victims of these incidents declining to be interviewed by the FBI. While this is regrettable, an initial inquiry regarding whether the victim had been petitioning the Congress was mandatory to determine whether FBI jurisdiction existed under Title 18, United States Code (U.S.C.), Section 241, entitled Conspiracy Against Rights of Citizens. This guidance regarding our jurisdiction was provided to us in writing by the Civil Rights Division, DOJ.

As to a broader jurisdictional basis, stemming from the interference with First Amendment rights, regardless of how or where they are exercised, we have been advised by the Civil Rights Division, DOJ, that the FBI would have jurisdiction under Title 18, U.S.C., Section 242, only if there were some ground to believe that the interference with the victims' First Amendment rights was conducted "under color of law." As discussed above, our investigation and analysis failed to disclose any ground to conclude that Federal, state or local authorities may have been involved in these incidents.

Our Criminal Investigative Division was unable to identify any other bases for FBI jurisdiction under our criminal law enforcement responsibilities. Subsequent to the analysis by our Criminal Investigative Division, our Intelligence Division reviewed the results of the inquiry, including the available local law enforcement reports. This additional review and analysis did not disclose any grounds to believe that the incidents were conducted or organized by agents of hostile foreign powers.

I understand and share your concern that some citizens may believe that they are being harassed in their exercise of First Amendment rights by Federal, state or local authorities. We remain receptive to any requests by the Subcommittee that we

Honorable Don Edwards

examine a particular incident to determine whether it falls within our jurisdiction under Title 18, U.S.C., Sections 241 or 242.

I look forward to working with you during the 101st Congress.

Sincerely yours,

William S. Sessions  
Director

*John E. Otto*  
*Acting Director*

Enclosures (19)

1 - Honorable David L. Boren - Enclosures (19)  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C.

1 - Honorable Louis Stokes - Enclosures (19)  
Chairman  
Permanent Select Committee  
on Intelligence  
House of Representatives  
Washington, D.C.



|   |       |
|---|-------|
| Total Number Of Burglaries Examined:  | 93    |
| Total Number Of Burglary Locations:   | 67    |
| Total Number Of Burglaries Reported<br>To Police Departments:                                       | 49    |
| Total Number Where Sufficient Information<br>Existed To Obtain Police Report But None<br>Was Filed: | 13    |
| Total Number Where Insufficient Information<br>Was Provided To Obtain Police Report:                | 31    |
| <br>Total Number Of Civil Rights Investigations:  | <br>3 |
| Total Number Of Burglaries For Which<br>The Civil Rights Investigations Account:                    | 15    |
| Total Number Of Burglaries Where Perpetrators<br>Were Arrested:                                     | 3     |
| Total Number Of Perpetrators Arrested:  | 4     |

| DATE OF INCIDENT         | LOCATION   | ITEMS TAKEN                        | PROPERTY DAMAGE               | POLICE REPORT FILED | METHOD OF ENTRY          | SUBJECTS ARRESTED | NOTES |
|--------------------------|--|------------------------------------|-------------------------------|---------------------|--------------------------|-------------------|-------|
| November 4, 1983         | First Congregational Church, 11 Garden Street, Cambridge, Mass.                        | Cash (\$40)<br>Stamps (Value \$50) |                               | Yes                 | Forcible Entry Rear Door |                   |       |
| December, 1983           | Guatemala News And Information Center, Oakland, California                             | Files Rifled                       |                               | Yes                 |                          |                   |       |
| September, 1984          | Apartment Of Three Central American Refugees, Riverside Church, New York, New York     |                                    |                               | No                  |                          |                   |       |
| September 16 or 17, 1984 | New Institute Of Central America, Old Cambridge Baptist Church, Cambridge, Mass.       | Cash (\$98.50)                     | Drawer And Front Door Damaged | Yes                 | Forced Door              |                   | #     |
| October, 1984            | Guatemalan Refugee Couple, First Methodist Church, 6023 German Avenue, Germantown, Pa. |                                    |                               | No                  |                          |                   |       |

\* Insufficient information to obtain police report.

# Pending Civil Rights Investigation

| DATE OF INCIDENT        | LOCATION  | ITEMS TAKEN                          | PROPERTY DAMAGE           | POLICE REPORT FILED | METHOD OF ENTRY | SUBJECTS ARRESTED | NOTES |
|-------------------------|---|--------------------------------------|---------------------------|---------------------|-----------------|-------------------|-------|
| November 11-13, 1984    | Children's Co-op Day Care, Old Cambridge Baptist Church, Cambridge, Mass.           | Metal Box Containing Checks And Cash | Door Damaged              | Yes                 | Forced Door     |                   | #     |
| November 27 or 28, 1984 | Old Cambridge Baptist Church, Cambridge, Mass.                                      | None                                 | Door Broken, Desk Damaged | Yes                 | Forced Door     |                   | #     |
| November 27, 1984       | First Congregational Church, 11 Garden Street Cambridge, Mass.                      |                                      |                           | No                  |                 |                   |       |
| December 15, 1984       | Church Office, Old Cambridge Baptist Church, Cambridge, Mass.                       | None                                 | Door Broken, Desk Damaged | Yes                 | Forced Door     |                   | #     |
| December 18 or 19, 1984 | Old Cambridge Baptist Church, Cambridge, Mass.                                      | None, Files Rifled                   | Door Broken               | Yes                 | Forced Door     |                   | #     |
| February, 1985          | Office, East Bay Sanctuary Covenant, Trinity Methodist Church, Berkeley, California |                                      |                           | No                  |                 |                   |       |

| DATE OF INCIDENT  | LOCATION   | ITEMS TAKEN                 | PROPERTY DAMAGE | POLICE REPORT FILED | METHOD OF ENTRY                   | SUBJECTS ARRESTED | NOTES |
|-------------------|--|-----------------------------|-----------------|---------------------|-----------------------------------|-------------------|-------|
| February 22, 1985 | St. Williams Church, 1226 West Oak, Louisville, Kentucky                         | None                        | Broken Window   | Yes                 | Side Window                       |                   |       |
| March 9, 1985     | University Lutheran Church, Berkeley, California                                 | Type-writer - Tape Recorder |                 | Yes                 | Forcible Entry By Basement Window |                   |       |
| March 15-17, 1985 | Church Office, Old Cambridge Baptist Church, Cambridge, Mass.                    | Marantz Sound System        | None            | Yes                 | Undetermined                      |                   | #     |
| April 18, 1985    | Home Of New York Man Who Traveled To Nicaragua                                   |                             |                 |                     |                                   |                   | *     |
| April 21, 1985    | Nuevo Instituto de Centro America, Old Cambridge Baptist Church Cambridge, Mass. | None, Files Rifled          | Door Broken     | Yes                 | Forced Door                       |                   | #     |
| May 4, 1985       | Apartment Of New York Woman Working With Central American Solidarity Group       |                             |                 |                     |                                   |                   | *     |

| DATE OF INCIDENT   | LOCATION   | ITEMS TAKEN      | PROPERTY DAMAGE      | POLICE REPORT FILED | METHOD OF ENTRY          | SUBJECTS ARRESTED  | NOTES  |
|--------------------|--|------------------|----------------------|---------------------|--------------------------|--|--|
| May 23, 1985       | Trinity Methodist Church, 2320 Dana Street, Berkeley, California | Type-writer      |                      | Yes                 | Basement Door Pryed Open | None   | Area Is "Crash Area" For "Street People"                           |
| June 17, 1985      | Amnesty International, Los Angeles, California                   | Donor List       |                      | Yes                 | Undetermined             |  |  |
| July 17, 1985      | University Baptist Church, 4554 12th Ave., Seattle, Washington   | Office Ransacked |                      | Yes                 | Undetermined             |  | Rev. Cook Alleged U.S. Government Involvement                      |
| September 13, 1985 | CASA Office Cambridge, Mass.                                     |                  |                      | Yes                 |                          |  | Part Of Civil Rights Investigation At Old Cambridge Baptist Church |
| September 16, 1985 | Rev. David Myers (Jesuit Priest) Office, Guadalupe, Arizona      | None             | Copy Machine, Window | Yes                 | Forced Door              | Enrique E. Molina, Guadalupe, Arizona, Arrested At Scene |  |

| DATE OF INCIDENT  | LOCATION   | ITEMS TAKEN  | PROPERTY DAMAGE | POLICE REPORT FILED | METHOD OF ENTRY | SUBJECTS ARRESTED | NOTES |
|-------------------|--|--------------|-----------------|---------------------|-----------------|-------------------|-------|
| October 25, 1985  | Office Of Attorney, (Central American Refugee Project) Phoenix, Arizona  |              |                 | No                  |                 |                   |       |
| November 12, 1985 | Apartment Of Central American Solidarity Worker, Massachusetts   |              |                 |                     |                 |                   | *     |
| November 20, 1985 | St. Williams Catholic Church -- Fr. James E. Flynn, Holy Cross Rectory, 3112 West Broadway, Louisville, Kentucky | Files Rifled |                 | No                  | Undetermined    |                   |       |
| November 21, 1985 | Apartment Of Michael Lent, National Program Coordinator, Washington, D.C.  |              |                 | No                  |                 |                   |       |

| DATE OF INCIDENT          | LOCATION  | ITEMS TAKEN                            | PROPERTY DAMAGE           | POLICE REPORT FILED | METHOD OF ENTRY                 | SUBJECTS ARRESTED | NOTES   |
|---------------------------|---|--|---------------------------|---------------------|---------------------------------|-------------------|---|
| November or December 1985 | Home For Peace And Justice, Saginaw, Michigan                               | None                                   | Front Door                | No                  | Front Door Kicked In            |                   | Police Chief Contacted By Director Of Home For Peace And Justice. Chief's Opinion That Street People Entered Trying To Get Warm |
| December, 1985            | Apartment Of Central American Solidarity Worker, Washington, D.C.           |  |                           |                     |                                 |                   | *   |
| December 4 or 5, 1985     | Old Cambridge Baptist Church, Cambridge, Massachusetts                      | Answering Machine - Camera - Checkbook |                           | Yes                 | Forced Door                     |                   | #   |
| December 29, 1985         | Pico Rivera Methodist Church, 6040 Paramount Blvd., Pico Rivera, California | Unknown                                | Pastor's Office Ransacked | Yes                 | Forced Entry By Pastor's Office |                   | Investigating Officer Filed Supplementary Report Noting Inconsistent Statement Given By Pastor To Police And Newspaper.         |

| DATE OF INCIDENT      | LOCATION   | ITEMS TAKEN | PROPERTY DAMAGE | POLICE REPORT FILED | METHOD OF ENTRY        | SUBJECTS ARRESTED | NOTES |
|-----------------------|--|-------------|-----------------|---------------------|------------------------|-------------------|-------|
| January 4, 1986       | Car Parked At Old Cambridge Baptist Church, Cambridge, Mass.         | None        | Door Damaged    | Yes                 | Forced Door            |                   |       |
| January 9 or 10, 1986 | New York Woman Working For United Church Board For World Ministries' |             |                 |                     |                        |                   | *     |
| February 22, 1986     | Wisconsin's Environmental Decade, 14 W. Mifflin, Madison, Wisconsin  | None        |                 | Yes                 | Prying Open Front Door |                   |       |
| March 3, 1986         | St. Stephen's Presbyterian Church, Chatsworth, California            |             |                 | No                  |                        |                   |       |
| March 7, 1986         | Trinity Methodist Church, 2320 Dana Street, Berkeley, California     | None        |                 | Yes                 | Undetermined           |                   |       |



| DATE OF INCIDENT  | LOCATION  | ITEMS TAKEN                           | PROPERTY DAMAGE | POLICE REPORT FILED | METHOD OF ENTRY     | SUBJECTS ARRESTED | NOTES  |
|-------------------|---|---------------------------------------|-----------------|---------------------|---------------------|-------------------|--|
| March 15-16, 1986 | Old Cambridge Baptist Church, CASA Office, 1151 Massachusetts Avenue, Cambridge, Massachusetts                                    | Type-writer<br>-<br>Answering Machine | Door Damaged    | Yes                 | Outside Door Forced |                   | Victim Alleged U.S. Government Involvement # |
| March 24, 1986    | Washington, D.C. Women Active In Nicaragua Solidarity Work  |                                       |                 |                     |                     |                   | *  |
| April 2, 1986     | United Church Of Santa Fe, New Mexico   | None                                  |                 | Yes                 | Forced Back Door    |                   |  |
| April 7, 1986     | Two Art Instructors In Cuban/ Nicaraguan Cultural Exchange Program, Brookline, Massachusetts                                      |                                       |                 |                     |                     |                   | *  |
| May, 1986         | Central American Resource Center & Nicaragua Solidarity Committee, Newman Center, University of Minnesota, Minneapolis, Minnesota |                                       |                 | No                  |                     |                   |  |

| DATE OF INCIDENT   | LOCATION   | ITEMS TAKEN                            | PROPERTY DAMAGE  | POLICE REPORT FILED | METHOD OF ENTRY | SUBJECTS ARRESTED  | NOTES |
|--------------------|--|--|------------------|---------------------|-----------------|--|-------|
| May 4-5, 1986      | Wheaton United Methodist Church, 2214 Ridge Avenue, Evanston, Illinois | Cash (\$6)                             | Ransacked Office | Yes                 | Undetermined    |  |       |
| May 10, 1986       | Home Of Sanctuary Trial Defendant                                      |  |                  |                     |                 |  | *     |
| May 21 or 22, 1986 | North American Congress On Latin America New York, New York            | Tool Box --<br>Cash (\$20)             |                  | Yes                 | Forced Entry    |  |       |
| June 7 or 8, 1986  | NICA Offices, Old Cambridge Baptist Church, Cambridge, Massachusetts   | Answering Machine -<br>Cash -<br>Radio |                  | Yes                 | Forced Entry    |  | #     |
| July 11, 1986      | Apartment Of Central American Activist Brooklyn, New York              |  |                  |                     |                 |  | *     |
| July 15, 1986      | Old Cambridge Baptist Church Cambridge, Mass.                          | \$3,700 Check                          |                  | Yes                 |                 | Floyd Odom, Boston, Mass.<br>-<br>Joseph Colton, Boston, Mass. |       |

| DATE OF INCIDENT    | LOCATION  | ITEMS TAKEN | PROPERTY DAMAGE         | POLICE REPORT FILED | METHOD OF ENTRY                        | SUBJECTS ARRESTED            | NOTES |
|---------------------|---|-------------|-------------------------|---------------------|--|------------------------------|-------|
| July 18, 1986       | Automobile of Student Who Visited Nicaragua                           |             |                         |                     |  |                              | *     |
| July 22, 1986       | Home Of Sanctuary Worker, Arizona                                     |             |                         |                     |  |                              | *     |
| July or August 1986 | Casa de la Esperanza, Washington, D.C.                                |             |                         |                     |  |                              | *     |
| August 3, 1986      | Old Cambridge Baptist Church Cambridge, Mass.                         | None        | None                    | Yes                 | Undetermined                           | Ralph Chang, "Street Person" |       |
| September 26, 1986  | Car Of Man Active In Witness For Peace                                |             |                         |                     |  |                              | *     |
| October 6, 1986     | St. Edmunds Episcopal Church, 1500 Perez Drive, Pacificia, California | None        | Pastor's Desk Ransacked | Yes                 | Removing Window Pane In Rear Of Church |                              |       |

| DATE OF INCIDENT      | LOCATION  | ITEMS TAKEN  | PROPERTY DAMAGE     | POLICE REPORT FILED | METHOD OF ENTRY                        | SUBJECTS ARRESTED | NOTES  |
|-----------------------|---|--|---------------------|---------------------|--|-------------------|--|
| October 12-13, 1986   | St. Edmunds Episcopal Church, 1500 Perez Drive, Pacificia, California   | Cassette Recorder<br>-<br>Toy Trains<br>-<br>Lantern (Value \$100) | Window (Value \$15) | Yes                 | Removing Window Pane In Rear Of Church |                   | Area To Rear Of Church Often Used By Youths Drinking Alcohol |
| November 5 or 6, 1986 | Home Of Woman Active In Latin American Solidarity Work, New York        |  |                     |                     |  |                   | *  |
| November 17-18 1986   | Centro Presente, 10 Essex St., Cambridge, Massachusetts                 | Computer Equipment<br>-<br>Radios<br>-<br>Stamps                   |                     | Yes                 | Second Floor Rear Bathroom Window      |                   | Victim Alleged CIA Involvement                               |
| November 23, 1986     | Home Of Woman Active In Nicaragua Solidarity Work, Kingston, Washington |  |                     |                     |  |                   | *  |
| November 23, 1986     | Home Of Woman Active In Latin American Solidarity Work, New York        |  |                     |                     |  |                   | *  |

| DATE OF INCIDENT     | LOCATION  | ITEMS TAKEN   | PROPERTY DAMAGE | POLICE REPORT FILED | METHOD OF ENTRY            | SUBJECTS ARRESTED | NOTES |
|----------------------|---|---|-----------------|---------------------|----------------------------|-------------------|-------|
| November 30, 1986    | International Center For Development Policy, Washington, D.C.                                 |   |                 | Yes                 |                            |                   | #     |
| December 6-7, 1986   | Veteran's Fast For Life, World Peacemakers, 2025 Massachusetts Avenue, N.W., Washington, D.C. | Telephone (Value \$70)<br>-<br>Cash (\$15)<br>-<br>Answering Machine (Value \$70)<br>-<br>Tape Recorder |                 | Yes                 | Door Locks Forced          |                   |       |
| December 15, 1986    | United Church Of Santa Fe, 1804 Santa Fe, Chamiso, New Mexico                                 | Cash (\$20)   |                 | Yes                 | Forcible Entry Side Window |                   |       |
| January, 1987        | WBAI Radio Station, 508 8th Avenue, New York, New York  |   |                 | No                  |                            |                   |       |
| January 3 or 4, 1987 | Arlington Street Church, Boston, Massachusetts  | Cash  |                 | Yes                 |                            |                   |       |

| DATE OF INCIDENT | LOCATION   | ITEMS TAKEN   | PROPERTY DAMAGE | POLICE REPORT FILED | METHOD OF ENTRY                            | SUBJECTS ARRESTED | NOTES  |
|------------------|--|---|-----------------|---------------------|--|-------------------|--|
| January 6, 1987  | Reformed Christian Church, 5911 New Hampshire Avenue, N.E., Washington, D.C.                           | Blood Pressure Cuff (Value \$49)<br>-<br>Radio (Value \$40)<br>-<br>Cassette Player (Value \$100) |                 | Yes                 | Forced Entry Rear Door                     |                   | Suspect Identified (Suspect Implicated In Two Other Church Burglaries In The Area) |
| January 10, 1987 | Apartment Of Man Who Works With Chileans For Democracy, Seattle, Washington                            |   |                 |                     |  |                   | *  |
| January 10, 1987 | Briefcase Of D.C. Organizer Of Second Caravan Of Salvadorans For Peace And Justice, New York, New York |   |                 |                     |  |                   | *  |
| January 20, 1987 | Centro Presente, 10 Essex St., Cambridge, Massachusetts  | Copying Machine<br>-<br>Type-writer (Value \$1000)  |                 | Yes                 | Rear Window On Third Floor Off Fire Escape |                   |  |

| DATE OF INCIDENT     | LOCATION  | ITEMS TAKEN                      | PROPERTY DAMAGE | POLICE REPORT FILED | METHOD OF ENTRY                        | SUBJECTS ARRESTED | NOTES |
|----------------------|---|----------------------------------|-----------------|---------------------|--|-------------------|-------|
| January 31, 1987     | St. Edmunds Episcopal Church, 1500 Perez Drive, Pacificia, California           | None                             | Window          | Yes                 | Removing Window Pane In Rear Of Church |                   |       |
| January 31, 1987     | Salvadoran Refugee Committee, Calvary United Methodist Church, Washington, D.C. | Files Rifled                     |                 | Yes                 |  |                   |       |
| February 16-18, 1987 | Homes Of Persons Active In The Contragate Action Committee                      |                                  |                 |                     |  |                   | *     |
| February 21, 1987    | Car Of Woman Active In Central American Solidarity Work, Pasadena, California   |                                  |                 |                     |  |                   | *     |
| March 10 or 11, 1987 | Women's Building, San Francisco, California                                     | Computer Disc With Contact Names |                 | Yes                 | Undetermined                           |                   |       |
| March 23, 1987       | Car Of CISPES Member Los Angeles, California                                    |                                  |                 |                     |  |                   | *     |

| DATE OF INCIDENT | LOCATION   | ITEMS TAKEN | PROPERTY DAMAGE     | POLICE REPORT FILED | METHOD OF ENTRY | SUBJECTS ARRESTED | NOTES |
|------------------|--|-------------|---------------------|---------------------|-----------------|-------------------|-------|
| March 24, 1987   | Travel Agency Working With Central American Support Groups, California |             |                     |                     |                 |                   | *     |
| April, 1987      | Home Of Woman Who Traveled To Nicaragua, Pennsylvania                  |             |                     |                     |                 |                   | *     |
| April 9, 1987    | Interfaith Peace Coalition, 1948 The Alameda, San Jose, California     | Telephone   | Files & Desk Rifled | Yes                 | Unlocked Window |                   |       |
| May 6, 1987      | Apartment Of CISPES Member Who Travel To El Salvador                   |             |                     |                     |                 |                   | *     |
| May 15, 1987     | NICA Office, Old Cambridge Baptist Church, Cambridge, Massachusetts    |             |                     | Yes                 |                 |                   | #     |
| June 25, 1987    | Office Of Salvadoran Refugee, New York, New York                       |             |                     |                     |                 |                   | *     |



| DATE OF INCIDENT    | LOCATION  | ITEMS TAKEN   | PROPERTY DAMAGE  | POLICE REPORT FILED | METHOD OF ENTRY                  | SUBJECTS ARRESTED | NOTES |
|---------------------|---|---|------------------|---------------------|----------------------------------|-------------------|-------|
| July 10, 1987       | Home of Salvadoran Refugee, Los Angeles, California                                 |   |                  |                     |                                  |                   | *     |
| August, 1987        | Apartment Of Two Political Activists, New York                                      |   |                  |                     |                                  |                   | *     |
| August 13, 1987     | New York Mailing House  |   |                  |                     |                                  |                   | *     |
| September 1, 1987   | Co-MADRE Offices, First Congregational Church, 945 'G' Street, NW, Washington, D.C. |   |                  | No                  |                                  |                   |       |
| September 10, 1987  | MADRE, 853 Broadway, New York, New York   |   |                  | No                  |                                  |                   |       |
| October 27-28, 1987 | St. Stephens Lutheran Church, 15950 Chatsworth Street, Los Angeles, California      | Cash (\$200)<br>Stamps (Value \$100)<br>VCR (Value \$600) | Ransacked Office | Yes                 | Forced Entry Through Office Door |                   |       |

| DATE OF INCIDENT    | LOCATION  | ITEMS TAKEN  | PROPERTY DAMAGE | POLICE REPORT FILED | METHOD OF ENTRY                          | SUBJECTS ARRESTED | NOTES |
|---------------------|---|--|-----------------|---------------------|--|-------------------|-------|
| October 29-30, 1987 | Central American Historical Institute, Intercultural Center, Georgetown University, D.C. Washington, D.C. | Files Rifled   |                 | Yes                 |  |                   | #     |
| November 12, 1987   | Jan-Hus Presbyterian Church, 351 E. 74th St., New York, New York  | Swiss Army Knife (Value \$5)<br>-<br>Extension Cord (Value \$2)<br>-<br>Tea Heater (Value \$1) |                 | Yes                 | Forced Entry Through Side Door Of Church |                   |       |
| February, 1988      | Lutheran Church, Madison, Wisconsin   |  |                 |                     |  |                   | *     |
| March 6, 1988       | California Peace Academy, Unitarian Church, Anaheim, California   | Typewriter<br>-<br>Computer Disc   |                 | Yes                 | Forced Entry                             |                   |       |
| April 1, 1988       | Car Of Couple Who Returned From Nicaragua, San Francisco, California                                      |  |                 |                     |  |                   | *     |

| DATE OF INCIDENT  | LOCATION  | ITEMS TAKEN   | PROPERTY DAMAGE           | POLICE REPORT FILED | METHOD OF ENTRY          | SUBJECTS ARRESTED | NOTES |
|-------------------|---|---|---------------------------|---------------------|--------------------------|-------------------|-------|
| April 2-3, 1988   | United Church Of Santa Fe, 1840 Arroyo Chamiso, Santa, Fe, New Mexico | None  | Rear Door                 | Yes                 | Forcible Entry Rear Door |                   |       |
| April 4, 1988     | Apartment Of Panamanian Activist, New York                            |   |                           |                     |                          |                   | *     |
| April 18-19, 1988 | United Church Of Santa Fe, 1804 Arroyo Chamiso, Santa, Fe, New Mexico | Guitar (Value \$300)<br>-<br>Cash (Value \$20)<br>-<br>Key (Value \$1.50) | Rear Window (Value \$250) | Yes                 | Forcible Entry Rear Door |                   |       |
| May 3, 1988       | NECAN Offices, Old Cambridge Baptist Church, Cambridge, Massachusetts |   |                           | Yes                 |                          |                   | #     |

Mr. EDWARDS. The gentleman from Ohio, Mr. DeWine.

Mr. DEWINE. Let me see if I can summarize your testimony. Basically, what you found at fault in the FBI was an internal problem in two areas. One, reliability of an informant, and two, the narrowness or the broadness of the scope of the investigation. Is that a fair summary?

Those are problems that law enforcement agencies always have. You did not find—you testified you did not find violations of constitutional rights. But it is basically what I would classify as a law enforcement problem?

Mr. SESSIONS. That would be essentially correct. I would add the one painful aspect of it. That is that there was negligence in the carrying out of responsibilities that those persons at their particular level had undertaken. That to me, the aligning of those series of negative acts or failure to deal with those things they were charged with doing as agents of the FBI, is extremely serious. It is not a pleasant part, but it is a part of it.

Mr. DEWINE. That relates to the other two. It is in those two areas where they did not carry out their duties as they should have?

Mr. SESSIONS. That is correct.

Mr. DEWINE. Thank you.

Mr. SESSIONS. Thank you, sir.

Mr. DEWINE. Thank you, Mr. Chairman.

Mr. EDWARDS. Director Sessions, the FBI has been very forthcoming. I must note the subcommittee began asking questions about CISPES in 1985, and it has taken us over three years to get the full story.

The Director states now that CISPES generated 180 spin-off cases. In August 1986, we asked how many spin-offs there were, and the FBI said it didn't understand the question.

We first asked to see the CISPES file in February 1987. We got access to the file after the case hit the front page of the New York Times in February 1988.

In April 1985, Director Webster testified that the FBI was not interested in the members of CISPES per se. Now that proves to be not so.

Another FBI official strongly denied in February 1987 that the FBI was passing information to the National Guard in Salvador through Varelli. It now appears pretty clear he did.

The FBI assured us it was not investigating the sanctuary movement. It is now clear the FBI surveilled sanctuary churches and investigated some sanctuary activities.

I also must note your response to the question by Mr. Sensenbrenner, no constitutional rights were violated. I think in much of this investigation we are talking about certain rights of privacy, et cetera, that can certainly be interpreted as constitutional rights.

I reluctantly, but must point out that the executive assistant director, in response to questions from the Senate Intelligence Committee, testified publicly on March 2, I believe, in the other body regarding CISPES and violated a lot of constitutional rights, just poured out file information, much of it never previously released, and some of it declassified at the hearing.

I think the Director knows that I was very upset and talked to him about it. I wouldn't have brought it up today had it not been for the allegations that constitutional rights were not violated.

It is a violation of constitutional rights to release to the public in defense of an FBI investigation a lot of file information uncorroborated that is not necessarily or not criminal or some that if true could be criminal. And CISPES, whether or not is a good or a bad organization, by this speech was really accused of 8 or 10 actions and connections that were very, very derogatory.

I am not here defending the organization, but I remember one time Judge Webster was testifying and he mentioned in response to a question that two motor cycle gangs were terrorists and violent criminals. He mentioned them by name. Then he caught himself.

He said, "You know, I shouldn't have said that." He understood the FBI has such importance in our country, and I appreciate that, that it has to be very careful about what it says.

Mr. SESSIONS. I trust the Chairman recognizes that I have been, or tried to be—I am not trying to paint myself as pure in that regard—but I have tried to respect the need for those careful delineations of what we are dealing with. And I know it is extremely important that those matters be discussed in a forum in a way that properly reflects the information we do have.

I know at the time Mr. Revell testified that he did not have the benefit of the full investigation, that I do now have the benefit of, and all of us have the benefit of. I appreciate the Chairman's understanding of that.

Mr. EDWARDS. Mr. Director, the CISPES file makes many references to support for terrorism—investigating the degree of CISPES' support for terrorism. Yet, support is never defined. How do you define support for terrorists?

Mr. SESSIONS. I struggled with that, Mr. Chairman, and I knew that it was of interest to you. I undertook to try to refresh in my own mind precisely how I should answer that question which you have now placed.

If you will bear with me, there are some considerations that I think are important in that regard.

First of all, a definition for the term "supporting terrorism" may be substantially taken from the Foreign Intelligence Surveillance Act of 1978, wherein the term "agent of a foreign power" is plain. The term "agent of a foreign power" is defined to any person who on behalf of a foreign power knowingly engages in sabotage or international terrorism or activities that are in preparation therefor.

A person may also be considered to be in support of terrorism by knowingly aiding or abetting in the support of terrorism or of any conduct of those described activities. Therefore, a person who knowingly provides succor to an international terrorist or international organization in any logistical sense or otherwise knowingly facilitates the execution of a terrorist objective may be considered as supporting terrorism.

Yet, I, like I think maybe you, struggle with humanitarian aid or aid that is in the form of weapons being exported or large amounts of money being exported in violation of the criminal laws for fail-

ure to report it, or large amounts of money going that would knowingly be used by terrorist organizations for the gaining of arms.

I have to struggle with it. I do believe that the FISA statute gives us pretty good support in that regard for the definition of what is in support of terrorist activities. It is a very difficult problem.

Mr. EDWARDS. Now, can support include non-criminal activities like demonstrations, grassroots rallying, or publishing newsletters?

Mr. SESSIONS. I would think not.

Mr. EDWARDS. Would it include civil disobedience at demonstrations?

Mr. SESSIONS. I would think not.

Mr. EDWARDS. That would be a matter for the local authorities?

Mr. SESSIONS. I would think so.

I would say again if, in fact, we have an appropriate predicate for an investigation, the monitoring of those activities, Mr. Chairman, might be totally appropriate.

If there was not a proper predicate for the investigation, then there should not be.

Mr. EDWARDS. Let's take a hypothetical. Those are difficult, so I won't hold you responsible too much.

An informant that reports that domestic group supports the FMLN, do you think that is enough to predicate a case?

Mr. SESSIONS. If the organization itself simply says it supports the FMLN, without saying how it supports it, whether politically or in terrorist activities, it is a difficult statement, that is the statement which was, in fact, contained at the start of the CISPES investigation, support of the FMLN.

Mr. EDWARDS. Do you think you ought to open a case on that?

Mr. SESSIONS. I would think not on that alone, no, sir.

Mr. EDWARDS. I will ask you the \$50 question. The FBI has done very well in combating domestic terrorism under the criminal standard under the Levy guidelines as modified by Attorney General Smith.

Why can't you live with criminal standard in fighting international terrorism in this country?

Mr. SESSIONS. I believe that it is essential that we not be forced in that position, Mr. Chairman. I think it refers to the statutes, the FISA statutes specifically concerning the need for our own intelligence gathering.

Under our responsibility under those statutes and the obvious, I think the obvious intent of Congress that we should be responsible for it makes that inconsistent with and incompatible with the high criminal standard of there being criminal activity, or a reasonable suspicion that there is criminal activity, or having information that there is criminal activity afoot. I think it is inconsistent and should not be pursued.

I would like to have the opportunity to answer that question in writing to you because I know it is of great significance to the committee. It certainly is of great importance to the FBI.

I do not believe that the criminal standard should be applied across the board.

Mr. EDWARDS. I certainly accept that answer with respect to—we are considering a statute that would solely require the criminal

standard to be respected, and we will certainly communicate with you on that.

I thank you for your offer to communicate in writing on the issue.

Mr. EDWARDS. Time is up.

I do want a second round.

Mr. Kastenmeier.

Mr. KASTENMEIER. I have no further questions.

Mr. EDWARDS. Mr. Sensenbrenner.

Mr. SENSENBRENNER. Thank you, Mr. Chairman.

I think this hearing today, as well as many of the preceding hearings by this subcommittee, very evidently demonstrate the poison that can be spread by one bad apple; in this case, Frank Varelli.

I think a lot of people were taken in by the purported information that Mr. Varelli gave. Not only was the Bureau taken in and the Center for Constitutional Studies in New York City taken in, but a good number of Members of this subcommittee and its staff were taken in by Mr. Varelli's cockamamie stories.

So giving Varelli credibility initially was not a monopoly of the Bureau or of the subcommittee or of the Center for Constitutional Studies in New York, but the damage that he has caused has really been extremely extensive and expensive in terms of staff time that was spent, the time of the subcommittee that was spent.

That is why I salute you in setting up some guidelines so that future Varellis are placed on notice that their credibility will be checked out before they get put on somebody's payroll.

Here the placing of Mr. Varelli on the FBI payroll has had a domino effect where a lot of faces were red. Hopefully that will not occur again.

Thank you.

Mr. EDWARDS. Mr. DeWine.

Mr. DEWINE. No questions, Mr. Chairman.

Mr. EDWARDS. Mr. Director, I want to ask you a few questions about the contact with the National Guard. I think it ought to be made a matter of record because there is quite a lot of concern about Varelli's connection with the National Guard in El Salvador.

Isn't it possible that the National Guard learned the identities of persons of investigative interest to the FBI through Varelli?

Mr. SESSIONS. I won't speculate, but it is possible. I do not know what he actually gave to the El Salvador National Guard. We have no way of establishing that.

You know, Mr. Chairman, that there were circumstances where there were communications, and we do not know the content of it.

Mr. EDWARDS. We have one fairly, clearly documented case where Varelli gave the National Guard the names of 13 Salvadorans here in the United States who were facing deportation. Varelli actually gave us a copy of the list of 13 names, so I am sure you would say that it is possible he had access to the names of other aliens facing deportation?

Mr. SESSIONS. It is quite possible. I think the Chairman is aware of the action we took in connection with those particular names to be assured that those people were in fact informed of the nature of that information.

Mr. EDWARDS. I think we can assume that the National Guard was interested in, not just a one-way flow of the information; they just weren't supplying information to Varelli. They must have suspected something in return. That gets me to the questions asked by Mr. Kastenmeier.

It is possible that the Salvadoran government has operatives, good friends, shall we say, in the United States and that the National Guard would have contact with them? You would assume they would?

Mr. SESSIONS. I would assume that is possible, but the Bureau has no information to substantiate that.

Mr. EDWARDS. It has always been the belief of the Chairman that it is very possible that these break-ins could have been triggered in that particular way, with information coming from the National Guard which has no conscience about any act, apparently, and that these connections in the United States with the National Guard could have resulted in some of these break-ins. And I hope that you will look at that.

Mr. SESSIONS. That is possible. And if we ever find that connection, you can be assured that it will be revealed to the committee.

Mr. EDWARDS. Thank you.

Director Sessions, I believe you said in your testimony that in the future, higher level officials will be aware of surveillances of demonstrations to ensure that if these surveillances and activities do take place, they are fully justified. When will they be fully justified? When will the FBI feel justified in taking pictures or keeping a march or a demonstration under scrutiny?

Mr. SESSIONS. If there is a proper predicate for an authorized investigation, that is a proper technique, and it may be done. But the predication has to be there. And otherwise it must not be done.

Mr. EDWARDS. Can you describe for us an appropriate predication?

Mr. SESSIONS. Yes. If in fact the predication had been truly here in connection with the CISPES investigation undertaken. It was a totally proper and approved technique.

Mr. EDWARDS. Let's say that the FBI monitors a demonstration to identify leaders, and then the leaders change. The leaders might be present at the first demonstration, but does that mean that all the subsequent demonstrations are going to be monitored?

Mr. SESSIONS. It does not necessarily mean that, but it could mean that. If the predication is proper, then the technique, I believe, is proper. If the predication is not substantiated and is faulty, then the procedure should not be used.

Mr. EDWARDS. How about the FBI monitoring demonstrations in Federal buildings or protesting the appearances of Federal officials, whatever they do? Do you just automatically monitor a demonstration at a Federal building?

Mr. SESSIONS. No. If there is a proper predicate and a reason for that, if there is, for instance, in a non-CISPES matter, if there were indications and information dealing with criminal acts or proposed violence in connection with that particular Federal priority, yes, it would be proper to use that technique, I believe.

Mr. EDWARDS. You are sticking pretty close to the criminal standard.



Mr. SESSIONS. That is a criminal standard in those regards. When you are dealing generally with domestic terrorism, you are talking about a criminal standard and going under a criminal guideline. That is correct. If you are talking about foreign counterintelligence, international terrorism, then you are not. That is correct.

Mr. EDWARDS. Judge Webster received regular informational notes—those are his words—on planned demonstrations. Do you receive regular informational notes on planned demonstrations?

Mr. SESSIONS. The ability to receive it is there. I have not during my tenure in office received it. I presume if I had been the Director of the FBI back in those days where there were demonstrations that might well have been investigated under a criminal standard, that I would have received the information. Much of that is disseminated so if there are demonstrations against a particular facility or circumstance, those people have the information.

Mr. EDWARDS. That is a very important First Amendment right.

Mr. SESSIONS. I quite agree with you.

Mr. EDWARDS. Is this one of those things that you are asking the Department of Justice to provide you better guidelines on?

Mr. SESSIONS. What I am asking the Department of Justice to do is in connection with the investigation of major groups, to clarify the way we can deal with individuals when those major groups are in fact investigated.

Mr. EDWARDS. I congratulate you on making that request to the Department of Justice.

Mr. SESSIONS. I think it is important.

Mr. EDWARDS. Have you talked to the new Attorney General about this?

Mr. SESSIONS. I have informed him that I am testifying—the schedule of testimony. I have not discussed with him in detail anything except my request of him concerning the formation of an FBI-Department of Justice working group in connection with guidelines.

He has taken that under advisement, and I presume I will hear in the next few days what he has done. I will be pleased to inform the committee.

Mr. EDWARDS. We would like to know of the timetable.

Mr. SESSIONS. The minute I hear from him that in fact he has done it, then I will inform the subcommittee.

Mr. EDWARDS. I think you will have success with the Attorney General. I understand from the newspapers that he is a card-carrying member of the ACLU, at least formerly.

Mr. SESSIONS. I have no idea about that. I do know he is an old friend. I have known him for many years, and have seen him perform in his offices, and he has acted very well.

Mr. EDWARDS. He is an old friend of the committee, too. We have always had fine relationships with the Attorney General.

Mr. KASTENMEIER. Mr. Chairman, I think this has been a very useful hearing. Certainly the testimony justifies the early interest of the committee on this subject. I want to compliment the Chairman.

Mr. EDWARDS. Mr. DeWine, do you have anything further?

Mr. DEWINE. Nothing further, Mr. Chairman.

Mr. EDWARDS. Thank you. This has been really a great experience for us. We held hearings for many, many years on the FBI and our mutual problems and on our obligations under the Constitution.

I say without any reservation that your statement, and the written statement that I am sure Mr. Toohey was involved in, and your testimony was very comforting. Thank you.

Mr. SESSIONS. Thank you, sir. I appreciate that.

[Whereupon, at 11:35 a.m., the subcommittee adjourned, to reconvene subject to the call of the Chair.]

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## ONE HUNDRED TWENTY COMQ 20

GENERAL COUNCIL  
IN FLAME MELLER  
STAFF DIRECTOR  
ARTHUR P. SMITH JR.  
ASSOCIATE COUNCIL  
ALAN P. COFFEY JR.

## Washington, DC 20515-6218

July 15, 1988

**Dear Director Sessions:**

I have been very impressed with the depth and seriousness of the review undertaken by the Inspections Division and with the strength of the findings in the report presented to you and made available to us. Based on the Subcommittee's review of the case and our study over many years of the terrorism issue, I believe that the following measures should be among the steps undertaken in response to the CISPES matter:

(195)

The Honorable William S. Sessions  
 July 15, 1988  
 Page Two

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(2) Institute higher levels of review and more frequent reviews within the Bureau for initiating and continuing terrorism cases: institute more frequent OIPR reviews, particularly of investigations of groups.

(3) Establish higher standards for initiating investigations of groups engaged in First Amendment activities. One of the major problems in the CISPES case is that it encompassed an entire group with numerous chapters, as to most of which there was no reason to believe they were engaged in criminal activity. The CISPES case would have generated little concern -- because it would have been conducted very differently -- if it had focused on individuals. The decision to investigate an entire First Amendment group should be based on a higher standard than the investigation of individuals who happen to be members of the group. The "enterprise" for purposes of an investigation should not be co-extensive with the First Amendment group unless all or most of the members of the group are involved in the criminal activity. If, as in the CISPES case, it is believed that many or most of the members of the group are not involved, then the group should not be the target of the investigation. The focus of the case should be on the individuals as to whom there are criminal allegations.

(4) Institute strict limits on the monitoring of political activity. This is one area in the CISPES case where the field offices expressed confusion. It is our strong feeling that demonstrations, marches and public meetings should not be monitored unless there is reason to believe that criminal activity will occur or will be discussed.

As I said, we look forward to your report.

With kindest regards.

Sincerely,

*Don Edwards*

Don Edwards  
 Chairman  
 Subcommittee on Civil and  
 Constitutional Rights

DE:jdd

APPENDIX 2.—LETTER DATED OCTOBER 4, 1988, FROM CHAIRMAN DON EDWARDS TO DIRECTOR WILLIAM S. SESSIONS

## ONE HUNDRETH CONGRESS

PETER W. RODINO, JR. NEW JERSEY, CHAIRMAN  
 JACK BROOKS, TEXAS  
 ROBERT W. KASTENBERGER, WISCONSIN  
 DON EDWARDS, CALIFORNIA  
 JOHN CORTYSE, JR., MICHIGAN  
 HOWARD L. MADDOLI, KENTUCKY  
 WILLIAM J. HURDES, NEW JERSEY  
 BRIE SYLAR, OREGON  
 PATRICIA SCHROEDER, COLORADO  
 DAN GLICKMAN, KANSAS  
 SARAHET FRANK, MASSACHUSETTS  
 GEO. W. CROCKETT, JR., MICHIGAN  
 CHARLES E. SCHUMER, NEW YORK  
 BRUCE A. SHAWBROOK, CONNECTICUT  
 EDWARD F. FEINHAAR, OHIO  
 LAWRENCE J. SMITH, FLORIDA  
 HOWARD L. BERMAN, CALIFORNIA  
 RICK BOUCHER, VIRGINIA  
 HARLEY G. STANBORN, JR., WEST VIRGINIA  
 JOHN BRYANT, TEXAS  
 BENJAMIN L. CARDIN, MARYLAND

HAMILTON PIER, JR., NEW YORK  
 CARLOS J. MOOREHEAD, CALIFORNIA  
 HENRY J. HYDE, ILLINOIS  
 DAN LUNDGREN, CALIFORNIA  
 F. JAMES E. BENNETT, WISCONSIN  
 BILL MACCOLLUM, FLORIDA  
 GEORGE W. DELA, PENNSYLVANIA  
 MICHAEL DOWNEY, OHIO  
 WILLIAM E. DARRINBETTER, CALIFORNIA  
 PATRICK L. BENDALL, GEORGIA  
 HOWARD COBLE, NORTH CAROLINA  
 D. FRENCH BLAUGHTER, JR., VIRGINIA  
 LAMAR S. SMITH, TEXAS

GENERAL COUNSEL  
 M. BLAINE ABLETT  
 STAFF DIRECTOR  
 ARTHUR P. ENDRES, JR.  
 ASSOCIATE COUNSEL  
 ALAN F. COFFY, JR.

U.S. House of Representatives  
 Committee on the Judiciary  
 Washington, DC 20515-6216  
 Telephone: 202-225-3951

October 4, 1988

The Honorable William S. Sessions  
 Director  
 Federal Bureau of Investigation  
 J. Edgar Hoover Building  
 Washington, DC 20535

Dear Director Sessions:

Again, I want to commend you for the manner in which you have responded to the CISPES matter. Your testimony before the Subcommittee was greatly reassuring and the actions you have taken have significant potential for improving the FBI's international counterterrorism efforts.

Among the few important issues that remain to be resolved is the disposition of the records generated as a result of the CISPES case and the spin-off investigations. Most of these records have no legitimate law enforcement value, and their maintenance may well violate section (e)(7) of the Privacy Act. Steps should be taken to segregate these records and ensure that they cannot be disseminated inside or outside the Bureau except in response to legal process or requests under the Freedom of Information and Privacy Acts (FOI/PA).

In the absence of a court order governing dissemination, the only effective way to protect against future use of the records is to accelerate their transfer to the National Archives and Records Administration, where they can be preserved for historical purposes and eventual declassification.

The Archives can handle individual requests for expungement and FOI/PA requests. If it is decided that the Bureau rather than the Archives should handle FOI/PA requests, the only copies retained by the FBI should be those necessary for processing such requests, and the records should be used only for FOI/PA purposes.

Disposition arrangements should cover Headquarters and field office files as well as the documents disseminated to other agencies, such as INSCOM, Secret Service, and others.

The Honorable William S. Sessions  
October 4, 1988  
Page Two

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This is a complex issue, and the Subcommittee would like to work with you on developing suitable procedures for handling these records. Subcommittee staff will be contacting the Bureau to pursue the details of this matter further.

With kindest regards.

Sincerely,



Don Edwards  
Chairman  
Subcommittee on Civil and  
Constitutional Rights

DE:jdd

**APPENDIX 3.—LETTER DATED SEPTEMBER 16, 1988, FROM RUSSELL B. CHRISTENSEN, STAFF ATTORNEY, AYUDA, INC.**

SEP 20 1988



September 16, 1988

Representative Don Edwards  
U.S. House of Representatives  
Washington, D.C.

Re: Oversight FBI practices relative to INS  
(Co-operative efforts - Varelli affidavit)

Dear Congressman Edwards,

I wrote you once on July 27, 1988. Even before I wrote you, I wrote Representative Rodino who is on the Immigration sub-committee and he never responded to my letter.

In talking with Mr. Jim Dempsey of your oversight staff it became clear to me that some formal request has to be made for one, maybe several congressional committees to clarify an issue raised in the Frank Varelli affidavit.

The issue is confirmed as real and of intense importance to a class of people now living here in the U.S. - approximately 600,000 El Salvadoran refugees.

As a practicing asylum lawyer I have attended to well over 500 of these folks needs over the last four years.

One of the most common concerns these refugees have is the concern for confidentiality of their asylum process here in the United States. Most want assurances that their requests do not become known to El Salvadoran officials, as many fear reprisals to their family, if their requests become known in El Salvador.

Whenever I have interviewed these refugees, I have always met these concerns with statements to the effect that they are in the United States now and we wouldn't compromise our judicial system by any process of reporting on them for seeking asylum in this country.

The Varelli affidavit, and then the Guevara Flores case (see 786 F2d1242 - 5th circuit) makes clear that my supposition is not the case.

Ayuda, Inc.  
Legal Aid/Consumer Protection  
1736 Columbia Road, N.W.  
Washington, D.C. 20009  
Telephone: 202-387-4848



A United Way Member Agency

Ayuda, Inc.

What all practicing immigration attorneys need to know is the extent to which these two sister agencies of the U.S. Justice Department, in co-operating together, have compromised our judicial process in this country. This seems to be something no one wants to enquire into. In writing Representative Rodino, he didn't answer my letter; and my carbon letter to the ABA President merely produced a polite letter of thanks. No one wants to open this can of worms.


As a practicing attorney who represents hundreds of El Salvadorans, I know no other response now than to advise my clients that yes, indeed there is a chance that information they supply in their asylum process; and information that they have applied for asylum here in the United States may well get back to authorities in their country. I would think that all AILA attorneys should likewise be advising their clients this information, until this point is clarified.

I am going to again send carbons of this letter to the ABA, AILA, Rodino and others.

We know from many independent human rights organizations, (Amnesty International, American Watch, Tutela Legal, etc.) that the security forces that our FBI reports to, are highly involved in death squad activity. Thus our government would seem to be participating in a process we have long condemned.

I would like this letter to be part of the official record of your oversight committee. I would also like your committee to take up this issue and clarify it.

Respectfully



Russell D. Christensen  
Staff Attorney

P.S. We may even need to advise our clients to insist on another forum - one before the OAS or the UN. The U.S. government is so highly involved in this civil war, that they seem willing to destroy our legal process, that protects individual rights, in order to advance their agenda in Central America.

cc AILA  
ABA  
Rodino  
NY Times  
Bangor Daily News  
FBI  
Chief Judge Robie  
Guild  
CCR



APPENDIX 4.—SELECTED FBI DOCUMENTS RELEASED UNDER THE FREEDOM OF INFORMATION ACT

201  
258

~~SECRET~~

[3/30/83] (u)

~~SECRET~~

ROUTINE

\*F2575RR (CG DL HQ LA HH NO NY SA SF SJ) WFSDE HQ H0257 (u)

YSSR 302351Z (MAR 83) (u)

FM DIRECTOR FBI

TO FBI CHICAGO ROUTINE

FBI DALLAS ROUTINE

FBI HOUSTON ROUTINE

FBI LOS ANGELES ROUTINE

FBI MIAMI ROUTINE

FBI NEW ORLEANS ROUTINE

FBI NEW YORK ROUTINE

FBI SAN ANTONIO ROUTINE

FBI SAN FRANCISCO ROUTINE

FBI SAN JUAN ROUTINE

FBI WASHINGTON FIELD

LEGAL ATTACHE MEXICO CITY ROUTINE

LEGAL ATTACHE PANAMA CITY ROUTINE

BT (u)

~~SECRET~~ SECTION 1 OF 2

COMMITTEE IN SUPPORT OF THE PEOPLE OF EL SALVADOR (CISPES) (u)

1 - MR. S. KLEIN

1 - TRAC

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

1 - [REDACTED]

[3/30/83]

4253

APR 8 1983

SEE NOTE PAGE 1

~~SECRET~~

DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

~~SECRET~~

CONTINUATION SHEET

PAGE TWO DE HQ 0257

AKA COALITION IN SUPPORT WITH THE PEOPLE OF EL SALVADOR: (u)

FCI - EL SALVADOR - TERRORISM 00: DALLAS.

THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS ENTIRETY.

b1

RE DALLAS TELETYPE DATED MARCH 23, 1983, AND NEW YORK

TELETYPE DATED MARCH 14, 1983. (u)

b1

b1

1. THE FOLLOWING ARE STATEMENTS EXCERPTED FROM CISPES

DO NOT TYPE MESSAGE BELOW THIS LINE

DO NOT TYPE PAST THIS LINE

DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

~~SECRET~~

PAGE

314

CONTINUATION SHEET

PAGE THREE DE HQ 0257 ~~SECRET~~

PUBLICATIONS: "THE SALVADORAN PEOPLE EXPRESS THEIR IMMEDIATE  
NEEDS AND HISTORIC INTEREST THROUGH THE DEMOCRATIC REVOLUTIONARY  
FRONT (FDR), WHICH IS THE POLITICAL ORGANIZATION EXPRESSING  
THE UNIFICATION OF ALL FORCES OPPOSING THE JUNTA FROM EVERY  
SECTOR OF SALVADORAN SOCIETY, AND THROUGH THE FARABUNDO MARTI  
FRONT FOR NATIONAL LIBERATION (FMLN), THE MILITARY ORGANIZATION  
EXPRESSING THE SAME UNIFIED OPPOSITIONS." (S)(u)

"CISPES PROVIDES INTERNATIONAL SUPPORT FOR THE OPPOSITION  
MOVEMENT IN EL SALVADOR, FORMED IN OCTOBER, 1980. IT IS A  
BROAD COALITION OF GROUPS AND INDIVIDUALS OPPOSED TO  
UNITED STATES INTERVENTION IN EL SALVADOR. THE COALITION  
INCLUDES CHURCH GROUPS, TRADE UNIONS, STUDENTS, PROFESSORS, AND  
OTHER SEGMENTS OF SOCIETY. CISPES ATTEMPTS TO EDUCATE THE U.S.  
PUBLIC REGARDING THE SITUATION IN EL SALVADOR, PARTICULARLY THE  
LEGITIMACY OF THE BROAD OPPOSITION MOVEMENT REPRESENTED BY THE  
FDR." (S)(u)

[REDACTED]

DO NOT TYPE MESSAGE BELOW THIS LINE

DO NOT TYPE PAST THIS LINE

b1





**FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET**

3 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b1 with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

\_\_\_\_\_ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

HQ 199-8848-1 (pages) 4-6

7 8

~~SECRET~~

\*P2563RR [CG DL HQ LA MM NO NY SA SP SJ WFIDE HQ HQ256 04] u

YSSR 302351Z MAR 83 (u)

FM DIRECTOR FBI

TO FBI CHICAGO ROUTINE

FBI DALLAS ROUTINE

FBI HOUSTON ROUTINE

FBI LOS ANGELES ROUTINE

FBI MIAMI ROUTINE

FBI NEW ORLEANS ROUTINE

FBI NEW YORK ROUTINE

FBI SAN ANTONIO ROUTINE

FBI SAN FRANCISCO ROUTINE

FBI SAN JUAN ROUTINE

FBI WASHINGTON FIELD ROUTINE

LEGAL ATTACHE MEXICO CITY ROUTINE

LEGAL ATTACHE PANAMA CITY ROUTINE |

BT

~~SECRET~~ SECTION 2 OF 2 (u)

COMMITTEE IN SUPPORT OF THE PEOPLE OF EL SALVADOR (CISPES), (u)

**FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET**

2 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b1 with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

\_\_\_\_\_ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

HQ 199-8842-1 pages 8-9

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FOR THIS PAGE**

FD-36 (Rev. 5-22-78)

~~SECRET~~  
FBI

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ AIRTEL

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date 5/23/83

TO: DIRECTOR, FBI  
 ATTENTION: SSA [REDACTED] (u)  
 FROM: SAC, DALLAS [199-795] (P)  
 SUBJECT: COMMITTEE IN SOLIDARITY WITH THE  
 PEOPLE OF EL SALVADOR (CISPES)  
 PCI-EL SALVADOR-TERRORISM (u)  
 OO: DALLAS

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 EXCEPT WHERE SHOWN  
 OTHERWISE

Classified by SP4ELN/k  
 Declassify on: OADR

6/20/87  
 Classified by SP4ELN/k  
 Declassify on: OADR

Entire contents of this communication classified "Secret".

b1 [REDACTED] (u)  
 [REDACTED] (u)  
 [REDACTED] (u)

According to their own material, available to the general public,  
 CISPES has offices at 4906 Bonnie View, Dallas, Texas, telephone 214/375-  
 3715.

Classified by 7869  
 Declassify on: OADR

[199-8848-24] (u)

AT w/ NSC, 6/1/83

1 cc #253 (u)  
 2 Bureau  
 2 Dallas  
 sam  
 (4)  
 b7c

~~SECRET~~

Approved: TK

Transmitted

Per

~~SECRET~~

~~SECRET~~

DL [199-795] (u)

b7D  
b7E

[REDACTED] (u)

Current investigation is directed at establishing extent of CISPES support of terrorism in El Salvador, and potential of committing terrorist operations in the United States.

b7D  
b7E

[REDACTED] may provide valuable insight into such contacts, as well as identification of individuals supporting terrorism. (u)

REQUEST OF THE BUREAUb7D  
b7E

[REDACTED] (u)

[REDACTED] (u)

~~SECRET~~



6-20 (1-250)

CRIMINAL INVESTIGATIVE DIVISION

INFORMATIVE NOTE

SECRET

Date 6/30/83

COMMITTEE IN SOLIDARITY WITH THE  
PEOPLE OF EL SALVADOR (CISPES);  
[PCI-EL SALVADOR-TERRORISM] OO: San Antonio

This communication is classified Secret in its entirety. b

Attached teletype concerns the planned demonstrations organized by the "Ad Hoc Committee for a July 2 Emergency Mobilization." They had planned to demonstrate at a location where President Reagan would be attending; however, President Reagan will be in California during the weekend of July 4. (u)

- 1 - Mr. O. B. Revell
- 1 - Mr. J. B. Notis
- 1 - Mr. W. E. Gilbert
- 1 - Mr. F. I. Clarke
- 1 - Mr. S. Klein

SEE REVERSE

SIDE FOR

CLASSIFICATION

SECRET

Classified by 6026

Declassify on: OADR

Classified by 6026

Declassify on: OADR

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

EXCEPT WHERE SHOWN

OTHERWISE

DATE 10/1/83 BY 6026

SECRET

~~SECRET~~~~SECRET~~

[REDACTED] (u)  
 b7D It is uncertain whether the violence is to occur in the United States or Central America. WFO has been instructed to recontact [REDACTED]

[REDACTED] obtain whatever additional information the source can provide. (u)  
 b1 The attached teletype has been relayed to DOJ, USDS, and USSS. (u)  
 WFO has been advised to afford appropriate coverage to the planned demonstration. (u)

APPROVED: [Handwritten initials] [Handwritten initials]  
 Director [Handwritten initials] [Handwritten initials]  
 Exec. AD-Adm. [Handwritten initials] [Handwritten initials]  
 Exec. AD-Inv. [Handwritten initials] [Handwritten initials]  
 Exec. AD-LES [Handwritten initials] [Handwritten initials]

|            |                             |
|------------|-----------------------------|
| Adm. Serv. | Laboratory                  |
| Crim. Inv. | Legal Coun.                 |
|            | Ch. of Cong. & Public Affs. |
| Ident.     | Rec. Mgnt.                  |
| Inspection | Tech. Servs.                |
| Intell.    | Training                    |

(u)

- 2 -

~~SECRET~~~~SECRET~~

SA0007 195233Z

ER HQ BA CE NY WF

DE SA (u)

R 142333Z JUL 83 (u)

FM SAN ANTONIO (199-768) (P)

TO DIRECTOR, FBI ROUTINE

BALTIMORE ROUTINE

CHICAGO ROUTINE

NEW YORK ROUTINE

WFO ROUTINE

BT (u)

~~SECRET~~

COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES)

FCI-EL SALVADOR-TERRORISM.

THIS COMMUNICATION IS CLASSIFIED ~~SECRET~~ IN ITS ENTIRETY.

b1

RE WFO TELETYPE TO BUREAU, ET AL, DATED JUNE 29, 1983.

FOR INFORMATION OF BUREAU AND RECEIVING OFFICES, TWO NEWSPAPER

ARTICLES APPEARING IN "THE VALLEY STAR", A HARLINGEN, TEXAS NEWS-

PAPER, ONE IN JULY 8, 1983 EDITION CAPTIONED, "AMERICANS, NICARAGUANS

JOIN TOGETHER IN PEACE VIGIL" AND ANOTHER IN JULY 11, 1983 EDITION.

lea Ruvos

7/7/83

Classified by 224EW/KFA

Declassify on OADR

[54 AUG 24 1983] (u)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE  
DATE 11/11/83 BY 224EW/KFA~~SECRET~~

[15 JUL 83 11 01] u

FEDERAL BUREAU OF INVESTIGATION

Classified by 224EW/KFA  
Declassify on OADR

[REDACTED] b7C

[REDACTED] b7C

[REDACTED] b7C

[REDACTED] b7C

~~SECRET~~



(u) PAGE TWO [199-768] ~~SECRET~~

CAPTIONED, "GROUP PROTESTS FUNDING OF NICARAGUAN REBELS", AND BOTH WRITTEN BY SCOTT LIND, WHOSE IDENTITY IS KNOWN TO BUREAU, RELATE TO TRIP BY "INTERFAITH GROUP" MENTIONED IN PARAGRAPH TWO, PAGE THREE OF REFERENCED TELETYPE. (u)

SCOTT LIND ACCOMPANIED GROUP TO HONDURAS AND NICARAGUA TO COVER GROUP'S PROTEST OF UNITED STATES POLICY TOWARD NICARAGUA AND ITS AID TO FIDEL-CASTRO REBELS. THE JULY 9, 1983 ARTICLE DEALS WITH PROTEST IN JALAPA, HONDURAS AND THE JULY 11, 1983 ARTICLE DEALS WITH PROTEST IN FRONT OF CLOSED GATES OF UNITED STATES EMBASSY IN MANAGUA, NICARAGUA. GROUP LEADER NAMED AS PROTESTANT CHAPLAIN WILLIAM SLOAN COFFIN, PASTOR AT RIVERSIDE CHURCH, NEW YORK. COFFIN WAS SEVERE CRITIC OF UNITED STATES INVOLVEMENT IN VIETNAM WAR WHILE SERVING AS CHAPLAIN AT YALE UNIVERSITY DURING 1960'S. (u)

THE JULY 11, 1983 ARTICLE INDICATES JIM MC LEOD, ORDAINED PRESBYTERIAN MINISTER FROM RIO GRANDE VALLEY, TEXAS STATED AMERICAN RELIGIOUS AND PEACE GROUPS ARE PLANNING A "PERMANENT VIGIL" OF AMERICANS IN NICARAGUA TO REDUCE THE LIKELIHOOD OF MORE DEATHS IN THE SMALL CENTRAL AMERICAN NATION". MC LEOD EXPLAINED THESE AMERICAN CITIZENS WOULD RESIDE IN AREAS SUCH AS JALAPA, HONDURAS AND THAT, "THIS PRESENCE WILL BE A PERMANENT WITNESS BY AMERICAN RELIGION (u)

PAGE

[INTEE 199-768] ~~SECRET~~

AGAINST ACTIONS OF OUR GOVERNMENT". (u)

REFERENCED TELETYPE INDICATES [REDACTED] b7D

[REDACTED] (u)

LIND HAS REPORTED NO INJURY OR DEATH OF DEMONSTRATORS, HOWEVER, GROUP'S PLANNING OF "PERMANENT VIGIL" IN UNSAFE AREAS MAKES PROBABILITY OF INJURY OR DEATH OF THESE AMERICANS HIGH. BLAME ON UNITED STATES AND UNITED STATES BACKED GROUPS, IF INJURY OR DEATH OCCURS ALSO HIGHLY PROBABLE. (u)

~~BY G-3, DRC: ORDR~~ (u)

E1] u

6-147 (1-12-83)

CRIMINAL INVESTIGATIVE DIVISION

INFORMATIVE NOTE  
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 8/19/83 BY [redacted]

COMMITTEE IN SOLIDARITY WITH THE  
PEOPLE OF EL SALVADOR (CISPES) (u)  
PCI - EL SALVADOR - TERRORISM  
OO: [San Antonio] u

This communication is classified ~~Secret~~ in its entirety.

By attached teletype, WFO advised that a demonstration is being planned by captioned organization for Monday, 8/22/83, at the entrance to Ft. Leslie J. McNair, P Street, S.W., between Third and Fourth Streets, Washington, D.C. This demonstration is to take place in the form of a blockade beginning at 8 a.m., and organizers for the blockade are calling for civil disobedience. In addition to CISPES, the following organizations are also taking part in the blockade with the purpose being to "stop the war in Central America:" U.S. Grenada Friendship Society-D.C. Chapter; People's Anti-War Mobilization; Washington Committee Against Registration in the Draft; Casa El Salvador; Washington Peace Center; and the Progressive Student Network (PSN). It is unknown at this time whether the demonstration planned by CISPES is in any way connected with the explosion of an improvised

- 1 - Mr. O. B. Revell  
1 - Mr. J. B. Hotis  
1 - Mr. W. R. Gilbert  
1 - Mr. F. I. Clarke  
1 - Mr. S. Klein

Classified by [redacted]  
Declassify on: OADR  
**SECRET**

Classified by [redacted]  
Declassify on: OADR

7/9/87  
Classified by [redacted]  
Declassify on: OADR

~~SECRET~~

explosive device (IED) which occurred at the Naval Regional Data Automation Center (NARDAC), Building 196, Washington Navy Yard, Washington, D.C., on 8/18/83. (u)

WFO is planning to provide coverage of the demonstration in order to identify potential CISPES organizers and other individuals potentially involved in civil disobedience. (u)

Information in attached teletype has been disseminated to [redacted] USDS, DIA, [redacted] NIS, AFOSI, INSCOM, USSS, JSOC, DOJ, and the [redacted] Metropolitan Police Department. (S) b1

|                              |            |                              |
|------------------------------|------------|------------------------------|
| APPROVED: <i>[Signature]</i> | Adm. Serv. | Laboratory                   |
| Director <i>[Signature]</i>  | Crim. Inv. | Legal Coun.                  |
| Exec. AD-Adm.                | Ident.     | Off. of Cong. & Public Affs. |
| Exec. AD-Inv.                | Inspection | Rec. Mgnt.                   |
| Exec. AD-LES                 | Intell.    | Tech. Servs.                 |
|                              |            | Training                     |

- 2 -

~~SECRET~~

D-36 (Rev. 5-22-78)

FBI

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date 8/22/83 (u)

SECRET INTERNAL ATTACHED

~~SECRET~~

TO: SAC, DALLAS<sup>W</sup> (199-795)  
 FROM: SAC, OKLAHOMA CITY (199-963) (P)  
 SUBJECT: COMMITTEE IN SOLIDARITY WITH  
 THE PEOPLE OF EL SALVADOR (CISPES)  
 FCI-EL SALVADOR-TERRORISM  
 OO: Dallas (u)

The entire contents of this communication are  
 classified ~~Secret~~ (u)

7/10/87  
 Classified by SP4ELN/KFA  
 Declassify on: OADR

Re Dallas airtel to Bureau, 7/25/83. (u)

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 EXCEPT WHERE SHOWN

On 8/5/83, a telephone call placed to 583-4028  
 resulted in a recording indicating that the telephone at that  
 number had been disconnected.

On 8/8/83, observation of 128 East Jasper, revealed  
 it to be a single residence in an older residential neighborhood.  
 A sign on the front of the residence read "Sisters of Benedict".

2 - [Dallas  
 Oklahoma City] (u)

(5)  
 CP

~~SECRET~~

Approved:

Transmitted (Number)

199-8848-91

b7C  
 b7D  
 b7E



(u) [OC] 199-963 (u)

~~SECRET~~

A white, male, residing in the residence immediately to the west of 128 East Jasper advised that Sisters of Benedict had moved to Oklahoma City, Oklahoma, on the first of the month. He advised that there had been nuns living in the house and doing community services. This community service included work at the Oklahoma State Department of Corrections, Horace Mann Pre-Release Center. (u)

A review of the Oklahoma City files concerning the Committee in Solidarity with the People of El-Salvado reveals an article in the Daily Oklahoman, Oklahoma City, Oklahoma, on 6/23/81, indicating that a forum on American involvement in El-Salvador was to be held that coming Saturday at the Corpus Christi Catholic Church in Oklahoma City. The forum was sponsored by the Norman Chapter of the Committee in Solidarity with the People of El-Salvador. (u)

b1

 (S)

TRANSMIT VIA  
☐ Teletype  
☐ Facsimile  
**XX AIRTEL**

PRECEDENCE  
☐ Immediate  
☐ Priority  
☐ Routine

CLASSIFIED **AC**  
☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS  
 Date **10/7/83** **7/62**

**SECRET**

TO: **DIRECTOR, FBI** **(u)**  
 FROM: **SAC, SAN DIEGO** (199-518) (C)  
**COMMITTEE IN SOLIDARITY**  
**WITH THE PEOPLE OF EL SALVADOR**  
**(CISPES)**  
**IT-CENTRAL AMERICA**  
**OO: San Antonio** **(u)** **7/10/87** **SE461WKA**  
**Classified by** **Declassify on: OADR**

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 EXCEPT WHERE SHOWN  
 OTHERWISE

ALL MARKINGS, NOTATIONS AND ITEMS OF INFORMATION  
 CONTAINED IN THIS COMMUNICATION ARE CLASSIFIED "**SECRET**" UNLESS  
 OTHERWISE NOTED. **(u)**

Re Washington Field Office (WFO) teletype to Bureau  
 dated 9/14/83, captioned as above. **(u)**

**b1** **(S)**

**b7D**

**Classification: S, C-1**  
**Declassify on: OADR**

**199-8848-103**

**1**

**1 cc Bureau**  
**2 - San Antonio**  
**2 - San Diego** **(u)** **b7C**

**1**

**11-8**

Approved: **2** **b7C** Transmitted: \_\_\_\_\_ Per: \_\_\_\_\_  
 (Number) (Time)

**[3 DEC 1983]** **64** **Classified by** **Declassify on: OADR** **SECRET**

~~SECRET~~

[SD] 99-518 [XW]

Information to date indicates that the organization is involved with information campaigns, fund raising functions, and promotion of peaceful demonstrations against United States policy in El Salvador. (u)

UACB, no further investigation is being conducted by San Diego. (u)

AIRTEL  
SECRET

Director, FBI (199-8848) (u)

ALL SACS

COMMITTEE IN SOLIDARITY WITH THE  
PEOPLE OF EL SALVADOR (CISPES);  
INTERNATIONAL TERRORISM - EL SALVADOR  
OO: Dallas (u)

7/10/87  
Classified by SPYUW/KRP  
Declassify on: OADR

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE

~~SECRET~~

This communication is classified ~~Secret~~ in its entirety. (u)

Re San Diego airtel dated 10/7/83, captioned "CISPES;  
IT-Central America; OO: San Antonio," and Houston teletype dated  
10/18/83, captioned "CISPES (CISPES-Houston); IT - Central America;  
OO: Houston." (u)

Enclosed for recipients is one copy of Butel dated 3/30/83  
regarding captioned matter, which has already been received by some  
offices. (u)

MAILED 10  
OCT 13 1983

Exec AD Adm.  
Exec AD Inv.  
Exec AD LES  
Asst. Dir.:  
Adm. Serv.  
Crim. Inv.  
Ident.  
Insp.  
Intell.  
Lab.  
Legal Coun.  
Off. Cong. &  
Public Affs.  
Rec. Mgmt.  
Tech. Serv.  
Training  
Telephone Rm.  
Director's Sec'y

Enclosure

ENCLOSURE

Classified by G3  
Declassify on: OADR

14 NOV 8 1993

See NOTE Page 4

~~SECRET~~



~~SECRET~~

[Airtel to All SACs

RE: Committee in Solidarity with the  
People of El Salvador (CISPES) (u)  
International Terrorism - El Salvador (u)  
OO: Dallas (u)

b1

[REDACTED] (u)

[REDACTED] (u)

[REDACTED] (u)

(u)

As Dallas is the current office of origin, all pertinent  
information will be furnished to Dallas as well as FBIHQ. (u)

[REDACTED] (u)

(u)

~~SECRET~~

~~SECRET~~

Airtel to All SACs (u)  
 RE: (Committee in Solidarity with the  
 People of El Salvador (CISPES)) (u)  
 International Terrorism - El Salvador  
 OO: Dallas (u)

(S)  
 Dallas is instructed to provide identities of known CISPES chapters to appropriate field offices with all available information concerning those chapters. (u)

|                  |                   |                                    |
|------------------|-------------------|------------------------------------|
| Approved: _____  | Adm. Servs. _____ | Laboratory _____                   |
| Spec. Inv. _____ | Crim. Inv. _____  | Legal Coun. _____                  |
| Ident. _____     | Ident. _____      | Off. of Cong. & Public Affs. _____ |
| Inspection _____ | Inspection _____  | Rec. Mgmt. _____                   |
| Intell. _____    | Intell. _____     | Tech. Serv. _____                  |
|                  |                   | Training _____                     |

- 3 -

~~SECRET~~



$128 \times 2$ 

**SECRET**

TRANSMIT VIA

**☐ Teletype**

Facebook

**ALERT**

### PRECEDENCE:

☐ Immediate☐ Priority☐ Flautino

**CLASSIFICATION:**

**TOP SECRET**

**SECRET**

**CONFIDENTIAL**

UNCLAS E F T

UNCLAS

Date: 1

11/8/83

TO: DIRECTOR, FBI (199-8848)  
FROM: SAC, DENVER (199C-825) (P)

COMMITTEE IN SOLIDARITY WITH THE  
PEOPLE OF EL SALVADOR (CISPES) ] 4  
IT-EL SALVADOR  
OO: DALLAS (MA)

Classified by ~~SP-6/BJD~~  
Declassify on: OADR 2/11

ALL INFORMATION ON THIS DOCUMENT IS ~~SECRET~~ **Declassify on: OADR**  
 ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 EXCEPT WHERE SHOWN  
 OTHERWISE

All information contained herein is ~~secret~~ <sup>CONFIDENTIAL</sup>  
Re Bureau airtel 10/28/83 and Denver teletype 11/5/83. *W*

advised as follows: **199-8848-1248**

~~Classified by~~ ~~6-3~~  
~~Declassify on~~ ~~ON~~

Bureau (I-TRAC) (4)

1-pallas

## Seattle

**TransMed**



2000

**SECRET**

SECRET  
 1994-823 (u)  
 b7D [REDACTED] (u)

On 10/28/83, a demonstration was held in the vicinity of the Denver Marriott Inn to protest a speech by White House Representative Ed Meese.

b7D [REDACTED] Flyers were passed out indicating that a demonstration sponsored by CISPES would be held at Ft. Carson (Colorado Springs, Colorado) on 11/12/83. The flyer listed phone number 475-7848 for the CISPES chapter.

b7D [REDACTED] (u)

[REDACTED] (u)

[REDACTED] (u)

b1 [REDACTED] (u)

[REDACTED] (u)

[REDACTED] (u)

[REDACTED] (u)

Nothing is known of the Colorado Springs Chapter, except the phone number listed. (u)

Note that Bureau instructions in this matter are to determine location, leadership and activities of chapters through sources, surveillance and investigation. Attempt to get sufficient information.

b7D b7E b1 [REDACTED] (u)

LEADS:

DENVER DIVISION (u)



[M] 199C-825

SECRET

At Denver, Colorado:

Will attempt to determine leadership of Denver Chapter and maintain contact with asset.

At Boulder, Colorado:

Conduct investigation re individuals listed in accordance with Bureau instructions.

At Colorado Springs, Colorado:

Conduct investigation to identify leadership and members of Colorado Springs Chapter.

SEATTLE DIVISION

At Seattle, Washington:

b1

(S)

REQUEST OF THE BUREAU:

Search indices for listed members.

ALL INFORMATION ON THIS  
PAGE IS UNCLASSIFIED  
DATE 10/10/00 BY 1043

SECRET

3\*

8-66 (Rev. 4-22-72)

105

 DEPARTMENT OF JUSTICE  
 FEDERAL BUREAU OF INVESTIGATION  
 COMMUNICATION MESSAGE FORM
**SECRET**

|   |              |                                  |                    |
|---|--------------|----------------------------------|--------------------|
| PAGE 1 of 3   | DATE 11/8/83 | CLASSIFICATION <del>SECRET</del> | PRECEDENCE ROUTINE |
| V00SERR V2 V9 V10 V11BV23 40105 31307558YSSR 061746Z (NOV 83) (4)   |              |                                  |                    |
| FM DIRECTOR FBI (4)   |              |                                  |                    |
| TO V2/ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION   |              |                                  |                    |
| V9/DIRECTOR DEFENSE INTELLIGENCE AGENCY   |              |                                  |                    |
| V10/U.S. SECRET SERVICE   |              |                                  |                    |
| V11/SECRETARY OF STATE  |              |                                  |                    |
| BT  |              |                                  |                    |
| <del>SECRET</del><br>Classified by SP4ELWIKED<br>Declassify on: OADR  |              |                                  |                    |
| COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES)<br>INTERNATIONAL TERRORISM - EL SALVADOR.   |              |                                  |                    |
| THIS COMMUNICATION IS CLASSIFIED <del>SECRET</del> IN ITS ENTIRETY (4)<br>THE FOLLOWING INFORMATION WAS OBTAINED FROM THE ASSETS OF<br>SEVERAL OF OUR FIELD OFFICES. THE INFORMATION PERTAINS TO THE<br>PEACE MARCH SCHEDULED FOR NOVEMBER 12, 1983, IN WASHINGTON,<br>D.C., AND OTHER MAJOR CITIES IN THE UNITED STATES. (M)<br>THE CHICAGO CHAPTER OF CISPES PLANS TO BE WELL REPRESENTED<br>AT THE MARCH. ACCORDING TO CISPES LITERATURE, THE CHICAGO<br>ORGANIZATION HAS A GOAL OF SENDING TEN BUSES WITH PEOPLE FROM |              |                                  |                    |
| DO NOT TYPE MESSAGE BELOW THIS LINE   |              |                                  |                    |
| APPROVED BY   | DATE 11/8/83 | ROOM 4253                        | TELETYPE           |

- 1 - MR. W. R. GILBERT b7c
- 1 - MR. F. E. CLARKE
- 1 - MR. S. KLEIN
- 1 - [REDACTED] b7c
- 1 - [REDACTED] b7c
- 1 - [REDACTED] b7c

SEE NOTE PAGE 11

64 DEC 27 1983

 FEDERAL BUREAU OF INVESTIGATION  
 COMMUNICATIONS SECTION  
 14457/MUC  
 NOV 9 1983
**SECRET**

DO NOT TYPE PAST THIS LINE

9-75A (7-19-77)

 DEPARTMENT OF JUSTICE  
 FEDERAL BUREAU OF INVESTIGATION  
 COMMUNICATION MESSAGE FORM
**SECRET**

PAGE 2

CONTINUATION SHEET

~~DISPATCHED BY RUENH 0105~~

CISPES AND OTHER GROUPS. THE SEATS ON THE BUSES WILL COST EACH INDIVIDUAL \$60 FOR THE ROUND TRIP. OVER SIXTY ORGANIZATIONS AND PROMINENT INDIVIDUALS HAVE SIGNED ON TO HELP MAKE THE MARCH THE LARGEST EVER ON CENTRAL AMERICA. THE BUSES ARE SCHEDULED TO DEPART CHICAGO ON NOVEMBER 11, 1983, AT 5:30 P.M. AND ARRIVE AT WASHINGTON, D.C., ON NOVEMBER 12, 1983, AT 8:30 A.M. *(u)*

THE LOS ANGELES CHAPTER OF CISPES EXPECTS 150,000 DEMONSTRATORS TO BE PRESENT AT THE ABOVE MARCH IN WASHINGTON, D.C., AND APPROXIMATELY 15,000 PEOPLE TO MARCH IN A DEMONSTRATION IN LOS ANGELES, BOTH TO BE HELD ON NOVEMBER 12, 1983. THE DEMONSTRATION IN LOS ANGELES IS TO BE HELD AT MAC ARTHUR PARK. THE MARCHES WILL BE NOT ONLY TO DEMONSTRATE AGAINST U.S. INVOLVEMENT IN CENTRAL AMERICA, BUT ALSO THE U.S. INVASION OF GRENADA. *(u)*

THE DETROIT AREA SUPPORTERS HAVE BUSES AVAILABLE AT A COST OF \$45 EACH. [REDACTED]

*b7D* [REDACTED] THE STATE OF MICHIGAN IS HOPING FOR EIGHT BUSES AND SOME VANS FROM DETROIT, ANN ARBOR, LANSING, AND KALAMAZOO. *(u)*

ALL REPORTS INDICATE PLANS FOR A PEACEFUL MARCH.

ADDITIONAL INFORMATION WILL BE PROVIDED AS RECEIVED. *(u)*

DO NOT TYPE MESSAGE BELOW THIS LINE

DO NOT TYPE PAST THIS LINE

0-93A (7-19-77)

DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

~~SECRET~~

|                                     |                    |
|-------------------------------------|--------------------|
| PAGE 3                              | CONTINUATION SHEET |
| START TIME                          |                    |
| BT 63 DEC 1968 (u)                  |                    |
| 20 BT (u)                           |                    |
| 18                                  |                    |
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| DO NOT TYPE MESSAGE BELOW THIS LINE |                    |
| DO NOT TYPE PAST THIS LINE          |                    |

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SECRET

NOTE: Above forwarded to advise recipients of the composite of current information available regarding the planned demonstration/march in Washington, D.C., on 11/12/83. CISPES is only one of the organizations sponsoring this march. It is noted that the figure of 150,000 people participating comes from CISPES literature.

b7D

Further information, as received, will be forwarded to these recipients. (u)

SECRET



NOO 004 314 1910Z

[RR HQ DL SA

DE NO] (u)

R 10 1800Z [NOV 83] (u)

FM FEV ORLEANS] (199C-18 (P)

TO DIRECTOR] ROUTINE

DALLAS] (199C-795) ROUTINE

SAN ANTONIO] (199C-768) ROUTINE

BT (u)

[CISPES] IT - EL SALVADOR.

MARKINGS, NOTATIONS, AND ALL ITEMS OF INFORMATION CONTAINED  
IN THIS COMMUNICATION ARE CLASSIFIED "~~SECRET~~" UNLESS OTHERWISE  
NOTED. (u)

[REDACTED] 62  
[REDACTED]  
[REDACTED] IT IS IMPERATIVE AT THIS TIME TO FORMULATE SOME PLAN OF  
ATTACK AGAINST CISPES AND SPECIFICALLY, AGAINST INDIVIDUALS,

Classified by SP4ELN/KFR  
Declassify on: OADR

DECLASSIFIED BY SP4ELN/KFR  
ON 7/17/87

ALL INFORMATION ON THIS  
PAGE IS CLASSIFIED  
EXCEPT WHERE SHOWN OTHERWISE

[66 MAR

1984 (u)

SECRET

(TEL TO CG, DL, HO, LA, MM, NO, NY, SA, ST, WFO 11/15/83) (u) 6  
[REDACTED] 67C

RECEIVED  
TELETYPE UNIT

[10 NOV 83] 352 (u)

FEDERAL BUREAU  
OF INVESTIGATION

SECRET

|                              |  |
|------------------------------|--|
| Exec AD-Adm.                 |  |
| Exec AD-LES                  |  |
| Asst. Dir.:                  |  |
| Adm. Serv.                   |  |
| Crim. Inv.                   |  |
| Ident.                       |  |
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| Intell.                      |  |
| Laboratory                   |  |
| Legal Coun.                  |  |
| Plan. & Insp.                |  |
| Tech. Serv.                  |  |
| Training                     |  |
| Off. of Cong. & Public Affs. |  |
| Telephone Rm.                |  |
| Director's Sec'y             |  |

67C

62

199 - 8848-128X1

[12 NOV 83] (u)

67C

(PAGE TWO) [1950-332] (u)

~~SECRET~~

~~SECRET~~

[REDACTED] WHO DEFIANTLY DISPLAY THEIR <sup>b7c</sup>  
 CONTEMPT FOR THE U.S. GOVERNMENT BY MAKING SPEECHES AND PROPAGAN-  
 DIZING THEIR CAUSE WHILE ASKING FOR POLITICAL ASYLUM. (u)

NEW ORLEANS IS OF THE OPINION THAT DEPARTMENTS OF JUSTICE  
 AND STATE SHOULD BE CONSULTED TO EXPLORE THE POSSIBILITY OF  
 DEPORTING THESE INDIVIDUALS OR AT BEST DENYING THEIR RE-ENTRY  
 ONCE THEY LEAVE. (u)

[REDACTED] <sup>b2</sup>

COPY 3, 352-10422. (u)

BT] (u)

~~SECRET~~

~~SECRET~~

FD-36 (Rev. 5-22-79)

**SECRET**

FBI

|  |   |   |
|--|---|---|
| <b>TRANSMIT VIA:</b><br><input type="checkbox"/> Teletype<br><input type="checkbox"/> Facsimile<br><input checked="" type="checkbox"/> <u>AIRTEL</u> | <b>PRECEDENCE:</b><br><input type="checkbox"/> Immediate<br><input type="checkbox"/> Priority<br><input type="checkbox"/> Routine | <b>CLASSIFICATION:</b><br><input type="checkbox"/> TOP SECRET<br><input type="checkbox"/> SECRET<br><input type="checkbox"/> CONFIDENTIAL<br><input type="checkbox"/> UNCLAS E F T O<br><input type="checkbox"/> UNCLAS |
|--|---|---|

Classified by SP46LW/KFA  
 Declassify on: OADR

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 EXCEPT WHERE SHOWN  
 OTHERWISE

Date 11/9/83

TO: DIRECTOR, FBI W

FROM: SAC, PHOENIX (199C-422) (C)

SUBJECT: TUCSON COMMITTEE FOR HUMAN RIGHTS COMMITTEE IN  
COO PHOENIX (S) SUPPORT OF THE PEOPLE  
OF EL SALVADOR (W)

Markings, notations and other items of information  
 contained in this communication are classified "secret" unless  
 otherwise noted. (W) 203-0-2942

On the dates indicated, the following individuals advised  
 they could locate no record in the files of their respective  
 agencies identifiable with the Tucson Committee for Human Rights.

Classified by [Signature]  
 Declassify on: OADR  
 Classified by [Signature]  
 Declassify on: OADR

3 - Bureau (W)  
 1 - Phoenix (W)  
 1 - [unclear] (W)  
 1 - [unclear] (W)

199-8848-1501  
 199-8848  
 [1-12-89] (W)

**SECRET**

Approved: [Signature] Transmitted: [Signature]

U.S. GOVERNMENT PRINTING OFFICE: 1980 O - 300-000



~~SECRET~~

[REDACTED] (u)

b7c  
b7D

On 10/3/83, newspaper articles regarding the Tucson Committee For Human Rights in Latin America published in the Arizona Daily Star and the Tucson Citizen, both daily newspapers of general circulation in the Tucson area, were reviewed in the library of the Tucson Citizen. These articles indicated the Tucson Committee For Human Rights in Latin America has been in existence for approximately seven years. The general basis for the existence of this organization is that conditions in Latin American countries from a human rights standpoint are not what the government of the United States says they are. The organization is against military aid to El Salvador and also protests U.S. involvement with anti-Sandinista rebels in Nicaragua. Moreover, the organization is against the U.S. military role in Latin America and supports any legislation banning military aid to El Salvador. Further, the group protests the treatment of Chilean citizens. (u)

The newspaper articles indicated that the unofficial spokesman for the Tucson Committee For Human Rights in Latin America was Mr. Jon B. Miles, a self employed landscaper residing at 3644 S. Lyndy Avenue, Tucson, Arizona. Over the past six years, the organization has sponsored various peaceful activities in the Tucson area to inform the public about continued violations of human rights in Latin America. (u)

On 10/24/83, Mr. Jon B. Miles, spokesman for the Tucson Committee For Human Rights in Latin America, furnished the following information: (u)

The Tucson Committee For Human Rights in Latin America has been in existence in the Tucson, Arizona area since 1976 and utilizes Post Office Box 42461, Tucson, Arizona 85733. The objectives of the organization are as follows: (u)

OBJECTIVES: (u)

- to create awareness, in this country, of the state of human rights in Latin America (u)

~~SECRET~~

~~SECRET~~

[PR 199C-422] (u)

- to point out the role played by the U.S. government, military and multinationals in the suppression of Latin American people (u)
- to generate support for the struggle against repressive regimes in Latin America through education and, when approved, through concrete aid (u)
- to extend our solidarity to peoples of Latin American origin living in the U.S., regardless of citizenship (u)
- to cooperate with other organizations sharing similar interests, especially on the local level (u)

Miles advised the Tucson Committee For Human Rights in Latin America has always been a non-violent organization, which has been utilized as a forum in the Tucson, Arizona area for dissemination of information regarding Latin American matters. (u)

In view of the above, it does not appear that further investigation regarding the Tucson Committee For Human Rights in Latin America is warranted. This case is therefore being closed. (u)

~~SECRET~~

~~SECRET~~

1  
1  
2  
1 - CISPES  
1 - TCHP

b7C

Airtel

~~SECRET~~~~SECRET~~

(1/6/84) (u)

Director, FBI (u)  
SAC, Phoenix (199C-422)

Classified by SP4GLW/KFA  
Declassify on: OADR

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE

COMMITTEE IN SUPPORT OF THE  
PEOPLE OF EL SALVADOR (CISPES)  
IT - EL SALVADOR (u)

Declassify on: SP4GLW/KFA  
OR 1/29/87

This communication is classified "Secret" in its entirety. (u)

b1

Enclosed for Dallas, Houston and San Antonio is one copy  
of referenced Phoenix airtel. (u)

Re Bureau communications advised that CISPES offices  
were often contained in, or operated from, offices of other similar  
type organizations or front offices. Based on the information  
contained in referenced Phoenix airtel, Phoenix should consider the  
possibility that the "Tucson Committee for Human Rights" (TCHP) may  
be a front organization for the CISPES.

MAILED 17

(u)

Before closing this investigation, Phoenix will submit  
information available regarding the TCHP to Dallas, Houston and  
San Antonio

b1

Exec AD Adm. \_\_\_\_\_  
Exec AD Inv. \_\_\_\_\_  
Exec AD LES \_\_\_\_\_  
Asst. Dir. \_\_\_\_\_  
Adm. Serv. \_\_\_\_\_  
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Legal Coun. \_\_\_\_\_  
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Rec. Mgmt. \_\_\_\_\_  
Tech. Serv. \_\_\_\_\_  
Training \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_

Classified by SP4GLW/KFA  
Date of Declassification: OADR

~~SECRET~~ (u)  
Declassify on: OADR

JAN 13 1984 (u)

Dallas (enc.)  
Houston (enc.)  
San Antonio (enc.) (u)

~~SECRET~~~~SECRET~~



FD-36 (Rev. 5-22-64)

## TRANSMIT VIA:

- ☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

- ☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

- ☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date November 28 1983 (u)

TO: DIRECTOR, FBI (199-8848)  
 FROM: SAC, LOUISVILLE (199C-150) (P)  
 SUBJECT: COMMITTEE IN SOLIDARITY WITH  
 THE PEOPLE OF EL SALVADOR (CISPES)  
 INTERNATIONAL TERRORISM - EL SALVADOR  
 (OO: DALLAS) (u)

ALL MARKINGS, NOTATIONS AND ITEMS  
 OF INFORMATION CONTAINED IN THIS  
 COMMUNICATION ARE CLASSIFIED  
 "SECRET" UNLESS OTHERWISE NOTED.

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Re Bureau airtel to all SAC's, dated October 28,  
 1983. (u)

Following information pertaining to  
 Committee in Solidarity with the People of El Salvador (CISPES)  
 activity at Louisville, Kentucky, was extracted from various

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199-8848-134x

Classified by 9-2

Declassify on: OADR

- (2) - Bureau  
 2 - Dallas  
 1 - WFO (Info.)  
 2 - Louisville  
 jag

Classified by 9-2

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Approved: [Signature]

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[5/7/85] (u)

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[199C-150] (u)

files as indicated and is included herein so as to provide the Bureau, Dallas and WFO with a succinct historical summary of CISPES interaction with various political causes on a local as well as national level: (u)

(LS 157-0-180) (u)

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(LS 199-133-2) (u)

(u)

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[199C-150] (u)

On July 8, 1983, during a peaceful protest demonstration in front of the Federal Building at Louisville, Kentucky, literature was distributed to the public by "Louisville CISPES (Committee in Solidarity with the People of El Salvador) P.O. Box 2005, Louisville, Kentucky 40201" urging U.S. citizens to write their respective congressmen to express their concerns over increasing U.S. involvement in El Salvador, while asking them to seek a peaceful solution to the Central American situation. CISPES literature asserted that while President Ronald Reagan certifies to Congress that the human rights situation is improving in El Salvador, the United States is being dragged into a bloody conflict in Central America. CISPES cited the following indications: 1) over \$100 million requested for new military aid; 2) 100 new military advisers and a new U.S. base to train Salvadoran troops in Honduras -- and more to come; 3) CIA organized raids from Honduras into Nicaragua, an apparent attempt to provoke a war between these two countries; and 4) Pro-administration members of Congress and the military think U.S. combat troops will be needed. CISPES concluded that all of the above was being implemented by the U.S. Government to "prop up a government that rules by terror, a government that in three years has carried out or approved the killing of over 37,000 civilians, created nearly 500,000 refugees, and stifled all legal channels of dissent". Above demonstration was to coincide with the July 1983, certification to Congress that the Salvadoran government is making significant progress toward eliminating human rights abuses. (LS 199-133-3) (u)

(Literature distributed  
publicly at Louisville,  
Kentucky, July 8, 1983) (u)

On October 28, 1983, demonstration protesting recent U.S. "invasion" of Grenada was held in front of U.S. Post Office and Courthouse, Louisville, Kentucky, and according to media reports approximately 50 persons participated in same. Leaflets calling for cessation of U.S. intervention in Central America and the Caribbean, as well as nuclear and conventional arms escalation, were distributed by "Louisville Committee in Solidarity with the People of El Salvador, Sydell Stone 458-5477" which was identified as "local contact" for march on Washington, D.C., November 12, 1983, organized by "November 12 Coalition, P.O. Box 50131, (u)

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146-5[199C-150] (u)

Washington, D.C., 20004, 202-347-5516". (LS 157-0-180). (u)

(Literature distributed publicly at Louisville, Kentucky, October 28, 1983)

On November 12, 1983, approximately sixty (60) Louisville, Kentucky area residents were to participate in a mass demonstration at Washington, D.C., protesting U.S. involvement in El Salvador, Nicaragua and Grenada. Among the main Louisville, Kentucky groups identified as being involved in organizing the Washington, D.C. trip was CISPES. (u)

(Courier-Journal, daily newspaper of general circulation published at Louisville, Kentucky, November 12, 1983).

It is noted that foregoing information has been included herein to provide background data concerning local origin of captioned organization only and should not be construed as an effort to investigate the exercise of First Amendment rights of individual CISPES members who politically oppose U.S. policy in El Salvador and Central America. Said data does serve, however, as a data base to begin the process which is intended to ultimately ferret out the identities and activities of those CISPES members who are knowingly supporting Salvadoran guerrillas in the United States and Central America and furnishing financial and material support to the guerrillas. (u)

In an effort to determine location, leadership and activities of CISPES chapter within the Louisville Division, the following investigation was conducted concerning CISPES, Louisville, Kentucky, which is the only known CISPES chapter operating in Kentucky: (u)

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LS 199C-150

As previously noted herein, literature distributed  
on July 8, 1983, listed CISPES local mailing address as  
"P.O. Box 2005, Louisville, Kentucky 40201". (u)

(u)

(u)

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*Consultation*~~SECRET~~



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(S) [1990-1991] (K)

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On November 10, 1983, review of records at Jefferson County Public Protection and Regulation Cabinet, Department of Consumer Protection, 527 West Jefferson Street, Louisville, Kentucky, revealed issuance of permit for solicitation of donations to "Louisville CISPES - Committee in Solidarity with the People of El Salvador, P.O. Box 2005, Louisville, Kentucky 40201" on October 17, 1983, permitting CISPES to solicit money from October 22, 1983 - December 17, 1983 "door to door". When applying for said permit on October 13, 1983, Lucy S. Harris, 1183 East Broadway, Louisville, Kentucky 40204 (584-3210) listed her own telephone as organization telephone, noting that Louisville CISPES was organized September 1980. Purpose of solicitation was listed "to raise money to buy bus signs which state "Central America - Another Vietnam War? - to alert people to the impending danger of an escalating war in Central America plus to keep our organization going -- cost of newsletter, phone calls, speakers etc." Solicitation dates were listed as October 22, 1983 - December 17, 1983, during which time CISPES would solicit money and support. CISPES hoped to raise \$800 to be dispersed as follows: 10% National CISPES; 10% Local Chapter to defray cost of canvass; 80% Buy bus signs. Cost of solicitation was estimated at \$150.00. No money has previously been raised by CISPES as result of public solicitation. Officers of CISPES and persons in charge of solicitation were listed as follows:

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(LS 159C-150) (u)

"Steering Committee" Lucy Harris, 1183 E. Broadway, 40204 (584-3210); Doug Magee, 1139 E. Broadway, 40204 (584-0349); Kip Mackey, Speed Avenue (454-5587); Fred Hicks, 4622 West Broadway (778-7644). Attached to above described application was copy of CISPES leaflet indicating that "thousands of members and friends of CISPES" are going "door-to-door all over the country" in a National Neighborhood Protest Campaign Against U.S. Intervention in Central America". Contained in said leaflet was the statement "We hope you'll help one of our more than 300 committees nationwide --- make a generous contribution --- please make checks payable to your local CISPES affiliate". Leaflet was to be distributed locally by "Louisville CISPES, P.O. Box 2005, Louisville, Kentucky 40201, 584-3210". (u)

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(LS 100-5419) (u)

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LS 199C-150 (u)

On November 6, 1983, Courier-Journal, supra, Louisville, Kentucky, reported that Mariano Barahona (Supreme Court Justice and head of Nicaragua Bar Association) and Humberto Obregon (member of Nicaragua Court of Appeals) were in Louisville, Kentucky, as part of a nationwide tour to build public understanding and support for their revolutionary government. Public lectures were sponsored by National Lawyers Guild and Louisville CISPES. (u)

On November 7, 1983, vehicle described as 1976 Datsun, 4 door green, bearing Kentucky vehicle tag KKM-498, and bumper sticker "US OUT OF EL SALVADOR" was observed parked in front of University of Louisville, School of Law at 12:20 p.m., at which time Nicaraguan judges Mariano Barahona and Humberto Obregon were speaking on "Justice and the Legal System in Nicaragua" at a public lecture sponsored in part by CISPES. (u)

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Review of 1983 Louisville City Directory reflects one "Lucy Harris, Teacher Fern Creek Elementary School". Resident of 1183 East Broadway, Louisville, Kentucky, listed as Frank J. Schwartz, Jr., Coordinator, Louisville Tenants Union. (u)

Analysis of foregoing data indicates that as of October 15, 1983, CISPES, Louisville, Kentucky, listed telephone 502-584-3414 as organizational telephone. (u)

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(u) LS [1990-150] (u)

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[REDACTED] Permit for solicitation, previously described herein, lists Lucy S. Harris, 1183 East Broadway, Louisville, Kentucky, as member of CISPES "steering committee" and applicant for said permit.

Although no specific chapter office has been identified, CISPES does maintain a separate post office box and while apparently using a residential private telephone for organizational purposes. (u)

[REQUEST OF BUREAU] (u)

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[REDACTED]

[REDACTED]

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LS 199C-150 (u)

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LEAD

LOUISVILLE DIVISION

At Louisville, Kentucky. (u)

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FD-36 (Rev. 5-22-64)

FBI

## TRANSMIT VIA:

- ☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

- ☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

- ☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date December 14, 1983 (u)~~SECRET~~

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TO: DIRECTOR, FBI (199-8848)

FROM: SAC, LOUISVILLE (199C-150) (P)

SUBJECT: COMMITTEE IN SOLIDARITY WITH THE  
 PEOPLE OF EL SALVADOR (CISPES) (u)  
 INTERNATIONAL TERRORISM - EL SALVADOR  
 (OO: DALLAS) (u)

b1

Re Louisville airtel to Bureau, dated November 28,  
 1983. (u)

Referenced communication set forth pertinent data  
 concerning Louisville, Kentucky, chapter of Committee in  
 Solidarity with the People of El Salvador (CISPES) including

[REDACTED]

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Classified by SP4BLW/KFA  
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DEC 19 1983 (u)

- 1 - Bureau  
 1 - Dallas  
 1 - WFO (Info.) (u)  
 2 - Louisville

Approved: [Signature]Transmitted 7/17/87

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(Time)

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 EXCEPT WHERE SHOWN  
 OTHERWISE

(LS) [199C-150] (u)

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In further support of above, following investigation was conducted on December 12, 1983, at Louisville, Kentucky: (u)

Transit Authority River City (TARC) passenger bus #130, bearing Kentucky license LN3972, was observed displaying paid billboard type advertisement which read as follows: "Central America...Another Vietnam? CISPES 584-3210; S. Stone Treasurer, P.O. Box 2005, Louisville, Kentucky; Day 637-1422; Night 584-3210" Review of 1983 Criss Cross Directory revealed telephone 637-1422 listed to Allison and Associates (W. H. Allison) (E. Garber) (Paul Soreff) 1326 South 3rd Street, Louisville, Kentucky (previously mentioned in referenced communication). (u)

Review of Louisville Defender, weekly newspaper with limited circulation, published at Louisville, Kentucky, revealed that December 8, 1983, issue thereof contained announcement concerning "Benefit Dance" sponsored by Louisville Chapter of CISPES and Nicaragua Information Committee to raise funds "to help send George Buchanan, Jr., and Lucy Harris on a friendship and information gathering tour of Nicaragua in December". (u)

On December 8, 1983, [REDACTED]

[REDACTED] telephonically contacted the Louisville Office and made inquiry concerning the possible subversive nature of CISPES [REDACTED]

[REDACTED] contributed no further information. [REDACTED] was advised to write Assistant Attorney General, Internal Security Division, U.S. Department of Justice, Washington, D.C. for information as to whether CISPES is considered "subversive" since the FBI could not render such a judgment. [REDACTED]

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(u)  
[LS] [199C-180] (u)

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It is noted that Lucy S. Harris, 1183 East Broadway, Louisville, Kentucky (584-3210) has been previously identified as CISPES local spokesperson. (u)

[REDACTED] (u)

Louisville Division indices and files negative concerning George Buchanan, Jr., Lucy H. Mertz and Lucy Fairbanks Harris and no active investigation being instituted at this time. (u)

Above information being provided FBIHQ as supplemental data which tends to corroborate the administrative determination that 502/584-3210 [REDACTED]

[REDACTED] is located in residence of CISPES spokesperson and publicly advertised on literature and rotary transit billboards as the CISPES telephone, and as such, should be considered the CISPES organizational telephone in Louisville, Kentucky. Accordingly, Bureau is requested [REDACTED] (u)

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FD-36 (Rev. 8-22-62)

**TRANSMIT VIA:**  
☐ Teletype  
☐ Facsimile  
☒ Airtel

**PRECEDENCE:**  
☐ Immediate  
☐ Priority  
☐ Routine

**CLASSIFICATION:**  
☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS  
 Date 6/11/84

**TO:** DIRECTOR, FBI (199-8848)

**FROM:** SAC, MOBILE (199C-96) (P)

**SUBJECT:** COMMITTEE IN SOLIDARITY WITH  
 THE PEOPLE OF EL SALVADOR (CISPES)  
 INTERNATIONAL TERRORISM - EL SALVADOR  
 OO: DALLAS

DECLASSIFIED BY SPY/BL/KFT  
 ON 7/27/07

This communication is classified ~~Secret~~ in its entirety.

Re Bureau airtel to all SACs dated 10/28/83.

Investigation disclosed that on 11/29/83, a Mobile radio station, WKRQ, ran a two-hour program featuring one Dr. Steven Schaeffer, a professor of Pharmacology, University of South Alabama Medical School, Mobile, Ala., who spoke on behalf of CISPES. Dr. Schaeffer advised that his wife was from El Salvador and that he had resided there for several years. He advised that CISPES was against the United States knowingly supporting the right wing death squads of the El Salvadorian Government, who were responsible for allegedly 30,000 deaths since 1979. He advised that CISPES was knowingly supporting the Salvadorian guerrillas and that their group was trying to put the message out to the American people regarding the insensitivity of the Reagan Administration in their continual financial support to the El Salvadorian Government. He advised that his group is fighting against the oppression and that CISPES is backed by the Catholic Church and other groups. He advised that it is his contention that President Reagan in the U. S. foreign policy is supporting the wrong side. He cited the main reason for this was the trauma of the U. S. foreign policy during the Jimmy Carter years. Schaeffer contended the Salvadorian way is losing the

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 2 - Dallas  
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[MO] [99C-96] (u)

war and that with so many Governmental troops being casualties, eventually, the U. S. Government will have to recognize the guerrilla movement and do a complete turnabout insofar as recognizing this element. Schaeffer stated that the guerrillas have killed over 800 individuals during the past two months and that there have been 10% of the Salvadorian army of 25,000 men recently killed. (u)

Schaeffer advised that CISPES is an international organ whose purpose is to acquire a just peace in El Salvador. He advised that it should be CISPES to give input as to who should decide how events should unravel whenever the guerrillas overtake the Salvadorian army. He advised the guerrillas want negotiations with the United States and that they are tired of the current oppression. He advised that they are just another liberated group and movement who want their freedom and that they, CISPES, have nothing to do nor want anything to do with Communism. He advised that the CISPES group does desire land reform and wants to be used as a tool so that the United States can save face and open up negotiations with the El Salvadorian guerrillas. During this presentation there was no mention of the size, location or future plans of CISPES, and the telephone number given to the public at large, 460-6288, was the office of Dr. Schaeffer at the University of South Alabama, Mobile, Alabama. (u)

A review of the current directory for professors at the University of South Alabama indicates that one Steven W. Schaeffer was Assistant Professor of Pharmacology, University of South Alabama Medical School. This directory indicates that Schaeffer has a Ph.D. from the University of Minnesota in 1981 and resides at 6416 Gaslight Lane South, Mobile, Alabama 36608. (u)

Mobile Division will continue attempts to develop additional information as to location, leadership, and activities of above group. (u)

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FM TAMPA (199-638) (SQ. 6) (P)

TO DIRECTOR ROUTINE  
 BALTIMORE ROUTINE  
 BOSTON ROUTINE  
 CHICAGO ROUTINE  
 DALLAS ROUTINE  
 DENVER ROUTINE  
 LOS ANGELES ROUTINE  
 NEWARK ROUTINE  
 MIAMI ROUTINE  
 NEW YORK ROUTINE  
 NEW ORLEANS ROUTINE  
 SAN FRANCISCO ROUTINE  
 WFO ROUTINE

BT JW

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COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPR)

IT-EL SALVADOR: (SQ. DALLAS) JW

THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS ENTIRETY. JW

100-8213-146  
 64 JAN 1984 JW

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 TELETYPE UNIT  
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 OF INVESTIGATION

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| Asst. Dir.:                  |  |
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| Laboratory                   |  |
| Legal Coun.                  |  |
| Rec. Mgmt.                   |  |
| Tech. Serv.                  |  |
| Training                     |  |
| Off. of Cong. & Public Affs. |  |
| Telephone Rm.                |  |
| Director's Sec'y             |  |

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 ON 7/28/87

CLASSIFIED BY SP4GLW/KFA  
 SECURITY: CTR OADR

199-8213-146

JAN 1984 JW

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PAGE TWO

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RE BUREAU AIRTEL TO ALL SACS DATED OCTOBER 26, 1983; BUTEL  
DATED DECEMBER 22, 1983.

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4-750 (Rev. 4-17-69)

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HQ 199-8848-146 page 3

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PAGE FOUR

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THE EL SALVADOR ALERT IS THE NATIONAL PUBLICATION OF CISPES. FOUNDED IN OCTOBER, 1980, CISPES STRIVES TO EDUCATE AND MOBILIZE PUBLIC OPINION AGAINST U.S. INTERVENTION IN EL SALVADOR AND CENTRAL AMERICA AND IN SOLIDARITY WITH THE FMLN-FDR, THE LEGITIMATE REPRESENTATIVE OF THE SALVADORAN PEOPLE. CISPES ACTIVITIES INCLUDE FUND

(PAGE FIVE

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RAISING AND LEGISLATIVE CAMPAIGNS, EDUCATIONAL AND OUTREACH PROGRAMS, AND MASS MOBILIZATIONS, CONDUCTED ON NATIONAL, REGIONAL AND LOCAL GRASS ROOTS LEVELS. THE FOLLOWING IS A LIST OF CISPES REGIONAL CENTERS: CISPES NATIONAL OFFICE, P.O. BOX 58139, WASHINGTON, D.C., 20004, TELEPHONE 202/887-5819; CISPES NORTHWEST REGION, 3418 19TH STREET, SAN FRANCISCO, CALIFORNIA, 94118, TELEPHONE 415/431-2113; CISPES SOUTHWEST REGION, P.O. BOX 57337, LOS ANGELES, CALIFORNIA, 90057, TELEPHONE 213/484-1844; CISPES ROCKY MOUNTAIN/PLAINS REGION, 15 SOUTH 42ND STREET, BOULDER, COLORADO, 80303, TELEPHONE 303/499-8633; CISPES MID-WEST REGION, 3411 WEST DIVERSEY AVE., ROOM 1, CHICAGO, ILLINOIS, 60647, TELEPHONE 312/227-2728; CISPES NEW ENGLAND REGION, 124 SOUTH STREET, NORTH HAMPTON, MARYLAND 21068, TELEPHONE 413/586-8471; CISPES MID-ATLANTIC REGION, 19 WEST 21ST STREET, NEW YORK, NEW YORK, 10010, TELEPHONE 212/242-1848; CISPES SOUTHEAST REGION, P.O. BOX 56262, NEW ORLEANS, LOUISIANA, 70156, TELEPHONE 504/523-5775.

THE DEMOCRATIC REVOLUTIONARY FRONT HAS ESTABLISHED AN INFORMATION OFFICE IN NEW YORK CITY IN ORDER TO PROVIDE NEWS AND INFORMATION DIRECTLY TO THE PEOPLE OF THE U.S. THE OFFICE PUBLISHES THE FDR SOLIDARITY BULLETIN BI-WEEKLY. ADDRESS: FDR SOLIDARITY

PAGE SIX

TP 199-638

INFORMATION OFFICE, BOX 2793, NEW YORK, NEW YORK, 10163.

CENTRAL AMERICAN SOLIDARITY NETWORKS: THE GROWTH OF THE  
CENTRAL AMERICA SOLIDARITY MOVEMENT HAS PRODUCED THREE MAJOR NET-  
WORKS:

CISPES, THE NATIONAL NETWORK IN SOLIDARITY WITH THE PEOPLE  
OF GUATEMALA (NISGUA), AND THE NATIONAL NETWORK IN SOLIDARITY WITH  
THE NICARAGUAN PEOPLE (NNSNP). THE WORK OF EACH NETWORK IS PRIMARILY  
FOCUSED ON A SINGLE COUNTRY, WHILE ALL SUPPORT ALL THE PEOPLES  
MOVEMENTS OF CENTRAL AMERICA AND OPPOSE U.S. INTERVENTION ANYWHERE  
IN THE REGION. MANY LOCAL COMMITTEES ARE AFFILIATED WITH ALL THREE.  
FOR MORE INFORMATION CONTACT THE ADDRESSES BELOW:

NISGUA, 930 F STREET N.W., WASHINGTON, D.C., 20004, TELEPHONE  
202/483-0050; NNSNP, 2025 I STREET N.W., WASHINGTON, D.C., 20006,  
TELEPHONE 202/223-2328.

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XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
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THE FOLLOWING IS ONE EXAMPLE OF A CISPES SOCIAL ACTION PROJECT:  
THE SIXTY ACTIVE MEMBERS OF SAN FRANCISCO CISPES INTRODUCED A  
LOCAL BALLOT INITIATIVE OPPOSING U.S. INTERVENTION IN CENTRAL  
AMERICA CALLED PROPOSITION M. TO BUILD A POPULAR BASE, CISPES  
LAUNCHED THE EL SALVADOR INITIATIVE CAMPAIGN (ESIC), A LOOSE  
GROUPING THAT INCLUDED CHAPTER MEMBERS AS WELL AS A FAR LARGER  
NUMBER OF NON-CISPES ACTIVISTS. NEIGHBORHOOD COMMITTEES WERE  
ESTABLISHED IN SIX DISTRICTS OF THE CITY, AND LABOR AND LESBIAN AND  
GAY TASK FORCES WERE SET UP. ESIC GREW TO 100 MEMBERS AND OVER 1,000

PAGE NINE

IP 199-638

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PEOPLE WORKED ON SOME ASPECT OF THE CAMPAIGN. ESIC DISTRIBUTED NEARLY 300,000 PIECES OF CAMPAIGN LITERATURE THROUGH CANVASSING, CABLING AND STRATEGIC PLACEMENT. REGIONAL WORK WAS ALSO STRENGTHENED. MAYOR DIANE FEINS

TEIN, ALL THE LOCAL CONGRESS PEOPLE, THREE QUARTERS OF THE CITY'S SUPERVISORS AND OTHER LOCAL OFFICIALS ENDORSED THE INITIATIVE, AS DID THE CENTRAL LABOR COUNCIL AND MANY LOCAL UNIONS. CHURCHES AND RELIGIOUS GROUPS, DEMOCRATIC CLUBS, WOMENS GAY AND LES

BIAN AND THIRD WORLD ORGANIZATIONS ALL BACKED THE CAMPAIGN. THE BIGGEST BOOST FOR PROPOSITION N CAME FROM ARCHBISHOP JOHN QUINN, WHO ISSUED A PASTORAL LETTER. SENT TO 300,000 LOCAL CATHOLICS, IT CONDEMNED U.S. INTERVENTION IN EL SALVADOR AND CALLED FOR A "YES" VOTE ON PROPOSITION N. EASILY QUALIFYING FOR THE BALLOT WITH OVER TWICE THE 9,000 SIGNATURES REQUIRED, PROPOSITION N PASSED BY A MARGIN OF 53 PERCENT.

THIS FALL, BALLOT INITIATIVES AND TOWN RESOLUTIONS OPPOSING U.S. INTERVENTION IN CENTRAL AMERICA PASSED IN SAN FRANCISCO, CALIFORNIA; SEATTLE, WASHINGTON; BOULDER, COLORADO; AND ITHICA, NEW YORK.

CISPES OVERTLY TAKES A POLITICAL STANCE OPPOSING U.S. GOVERNMENT POLICY IN EL SALVADOR AND CENTRAL AMERICA, AND COLLECTS FUNDS AND

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TP 199-638

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MATERIAL OSTE

NSIBLY FOR EL SALVADORAN REFUGEES AND ALIENS IN CENTRAL AMERICA AND THE U.S. THE OVERT GOALS OF CISPES PARALLELS THOSE AIMS OF MOST RELIGIOUS SOCIAL ACTION GROUPS, ISOLATIONISTS, WORLD PEACE MOVEMENT LEADERS, NOT TO MENTION NUMEROUS CONTROVERSIAL CELEBRITIES. IF CISPES LEADERSHIP COVERTLY ENGAGES IN ILLICIT ACTIVITIES OUTSIDE THE BOUNDARIES OF ITS OVERT OBJECTIVES AND PURPORTED AIMS, THEN IN ALL PROBABILITY THIS ACTIVITY IS HIGHLY SINGULAR AND CONFIDENTIAL IN NATURE. THE BROAD BASE OF U.S. SUPPORT

FOR CIS

PES COMES FROM PUBLICIZING ITS "LEGITIMATE" GOALS FOR PEACE, JUSTICE, AND HUMAN RIGHTS STANDARDS IN EL SALVADOR. THE CISPES MOVEMENT IS EXTREMELY DESIRABLE TO SOVIET OBJECTIVES. CISPES LEADERSHIP AND AFFILIATES ARE THEREFORE TEMPTING TARGETS FOR SOVIET, CUBAN AND NICARAGUAN "ACTIVE MEASURES" CAMPAIGNS. EXTREMIST LEFT WING LEADERSHIP WITHIN CISPES WOULD ALSO HELP PROMOTE THE TYPE OF COVERT ACTIVITIES AND DIRECT MATERIAL SUPPORT OF REBEL FORCES IN EL SALVADOR ALLEGED TO BE TAKING PLACE BY SOME SOURCES.

[REDACTED]

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FROM RECIPIENTS ARE SOLICITED.

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**FBI DALLAS (199C-795)**

TO DIRECTOR FBI 100-88480 ROUTINE

ATTN: [REDACTED] ROOM 4255) D

[FBI WFO] (199-1397) ROUTINE

ATTN: MR. VAITER, ASAC

BT 7/24

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[SECTION ONE OF THREE] (u)

COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES)

IT-EL SALVADOR; [OO: DALLAS] (u)

FOR INFORMATION OF RECEIVING OFFICES

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62/ 67D PAGE TWO DE DL 6821 ~~SECRET~~ (DL) (99C-795) (u)

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SA DETERMINED THAT THE SALVADORAN COMMUNITY IN WASHINGTON, D.C., IS CONCENTRATED IN THE AREA OF 18TH AND COLUMBIA. THERE ARE APPROXIMATELY 40,000 SALVADORANS RESIDING IN AND AROUND WASHINGTON, D.C. AREA. MANY HAVE OPENED BUSINESSES IN THIS AREA OF TOWN, SOME LEGITIMATE, OTHERS USED FOR DRUG OPERATIONS AND POSSIBLY SELLING FIREARMS. THEY ARE ALSO IDEAL LOCATIONS FOR PROVIDING REFUGE FOR THE NUMEROUS ILLEGAL SALVADORANS. SOME OF THE BUSINESSES IN THE AREA WHO ARE IN SUPPORT OF THE LEFTIST MOVEMENT ARE; REVOLUTION BOOKS, WREI QITH NW,; EL TAZUMAL, WRYU QITH NW, AL CASA DEL PUEBLO, QITH, AND ADAM'S MILL; EDITORIAL EL MUNDO, QITH AND COLUMBIA; ZODIAC, COLUMBIA AND ONTARIO; GUATEMALA HOUSE, VICINITY 18TH AND COLUMBIA; CASA LIBRATO, ONTARIO AND COLUMBIA; AMONG OTHERS. (u)

IT WAS DETERMINED THAT MOST ILLEGAL EL SALVADORANS IN THE WASHINGTON, D.C. AREA RECEIVE SANCTUARY AT TWO LOCATIONS. THE NATIONAL CITY CHRISTIAN CHURCH LOCATED ON MASSACHUSETTS AVENUE BETWEEN 14TH AND 15TH STREETS AND THE MT. PLEASANT CATHOLIC CHURCH CENTER, LOCATION UNKNOWN AT THIS TIME. FALSE IDENTITY IS PROVIDED AT THESE LOCATIONS, AS WELL AS PROTECTION FROM (u)

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PAGE THREE DE DL 8025

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[DL] [199C-795]

(u)

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VARIOUS GOVERNMENT AGENCIES. (u)

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4-750 (Rev. 3-17-69)

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SA ALSO PURCHASED SUBVERSIVE MATERIALS FROM THE ZODIAC AND LIBROS REVOLUCIONARIOS BOOKSTORES IN COLUMBIA SEVENTH AREA. *5/4*

THE CASE EL SALVADOR, LOCATED VICINITY OF COLUMBIA AND  
18TH STREET, WASHINGTON, D.C., HAS BEEN SUPPORTIVE OF THE

**BT**

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R 130112Z [JAN 84] (u)

[FM FBI DALLAS (199C-795)

[TO DIRECTOR FBI (199-8848) ROUTINE

ATTN: [REDACTED] ROOM 4255) b7C

(u) [FBI WFO] (199-1397) ROUTINE

ATTN: MR. VATTER, ASAC

(ET) (u)

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[SECTION THREE OF THREE] (u)

[COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES)] (u)

IT-EL SALVADOR; [OO: DALLAS] (u)

WEATHER UNDERGROUND, RNA, BLA, MAY 19TH COALITION, AND OTHER  
 SUCH ORGANIZATIONS. (DOCUMENTS LINKING THESE ORGANIZATIONS  
 WITH EL SALVADORAN LEFTIST GROUPS WILL BE EXPLAINED LATTER  
 PART OF THIS COMMUNICATION.)

ON THE CORNER OF COLUMBIA AND CHAMPLAIN STREET, WASHINGTON,  
 D.C., IS LOCATION OF A CHURCH CALLED FIRST CHRISTIAN SCIENCE  
 CHURCH. IN FRONT OF THIS CHURCH WERE A GROUP OF SALVADORANS  
 WEARING A PATCH ON THE LEFT SLEEVE OF THEIR JACKETS THAT SAID  
 FPLN.

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HQ 199-8842-162 page 14

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IS APPROACHED BY FBI. (u)

THE FOLLOWING DENOTES POSSIBLE CONNECTIONS BETWEEN MAY 19 COALITION AND EL SALVADORAN LEFTIST MOVEMENT IN THE U.S. THE BELOW ARE OPINIONS OF DALLAS SA COMPILED FROM INTERVIEWS IN WASHINGTON, D.C., AREA DOCUMENTS OBTAINED, AND VARIOUS SOURCE INFORMATION: (u)

IN 1978, THE WEATHER UNDERGROUND ORGANIZATION (WUO) REORGANIZED. THE NEW YORK PRAIRIE FIRE ORGANIZING COMMITTEE (PFOC) CHAPTER WAS TRANSFORMED INTO THE WUO'S COMMUNIST PARTY AND WAS RENAMED THE MAY 19TH COMMUNIST ORGANIZATION (M-19 CO) TO COMMEMORATE THE BIRTHDAYS OF HO CHI MINH AND MALCOLM X., AND USE MAILING ADDRESS OF BOX 613, VAN BRUNT STATION, BROOKLYN, NEW YORK, 11215. THE M-19 CO PRINCIPLES OF UNITY CLEARLY ALIGN THE WHITE REVOLUTIONARIES WITH THE BLACK LIBERATION ARMY (BLA) AND THE REPUBLIC OF NEW AFRICA. (u)

THE M-19 CO PROGRAM OF ACTION WAS DEFINED IN ITS FOUNDING STATEMENT AS IN SOLIDARITY WITH THE WORLDWIDE BLACK LIBERATION STRUGGLE, EXPOSURE AND ATTACK ON GOVERNMENT INTELLIGENCE PROGRAMS, TO FIGHT FOR THE FREEDOM OF PUERTO RICAN REVOLUTIONARIES AND TERRORISTS, ETC. THIS INCLUDES ANY MOVEMENTS TO FREE CENTRAL (u)

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IN ADDITION, THE NATIONAL LAWYERS GUILD (NLG), WHICH IS CLOSELY ASSOCIATED WITH WUC, ADVISED THEY STRONGLY SUPPORT THE PRO-SOVIET TERRORIST FORCES IN EL SALVADOR. (u)

IN DALLAS' OPINION, THE KEY WORD IS SOLIDARITY. ALL OF THESE GROUPS M-19 CO, FALN, FMLN, ETC. ARE CONNECTED, EXTENT DEPENDING ON THE GROUPS THEMSELVES. IN REGARDS TO

CISPES, ONE MUST REMEMBER THAT 80 OF THEIR MEMBERSHIP ARE ANGLO MIDDLE CLASS INDIVIDUALS, MANY VERY WELL EDUCATED, THE SAME PROFILE AS WOO MEMBERS IN THE 1960'S. THERE IS ALSO EVIDENCE THAT MEMBERS OF M-19 CO IN AUSTIN, TEXAS, HAVE CONTACTED CISPES CHAPTER IN DALLAS, TEXAS. THIS WILL BE DEVELOPED FURTHER, AND RESULTS SUBMITTED. *WJ*

PERTINENT INFORMATION WILL BE SUBMITTED ON  
A TIMELY BASIS. *slw* :

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FD-36 (Rev. 8-28-82)

PRECEDENCE: ☐ Immediate ☐ Priority ☐ Routine

CLASSIFICATION: ☐ TOP SECRET ☐ SECRET ☐ CONFIDENTIAL ☐ UNCLAS E F T O ☐ UNCLAS

Date: 1/16/84

SECRET

TO: DIRECTOR, FBI

FROM: SAC, PITTSBURGH (199C-635) (P)

SUBJECT: CENTRAL AMERICAN MOBILIZATION COALITION (CAMC)  
INTERNATIONAL TERRORISM  
EL SALVADOR;  
(OO: PITTSBURGH)

*Committee INSolidarity with People of EL SALVADOR*  
This communication is classified "Secret" in its entirety.

b1 [REDACTED] (S)

Re Pittsburgh airtel to Bureau dated 12/21/83, and captioned as above.

In referenced communication, Pittsburgh reported that two persons of Hispanic appearance claiming the names "Gabriel and Marie Elfero" are giving public political "talks" to small groups in the Pittsburgh area in which they claim to

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(2 - CAMC)  
2 - Washington Field  
4 - Dallas  
(2 - CISPES)  
(2 - CAMC)  
2 - San Antonio (CAMC)  
10 - Pittsburgh  
(2 - 199C-623)  
(2 - McDonald)  
(2 - Gabriel Elfero)  
(2 - Maria Elfero)

199-8848-  
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(u) [199C-635] (u)

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be Salvadorans who have surreptitiously crossed the Mexican border into the United States and are now hiding in the United States from "death squads" of the Salvadoran government. Pittsburgh has received additional information distributed by the Thomas Merton Center, 1111 East Carson Street, Pittsburgh, PA, that these persons are currently residing in the basement of the residence of Harold and Christine Wenger on or near Thomas Boulevard, Pittsburgh, PA. The first floor of this residence allegedly functions as the meeting place of the Pittsburgh Mennonite Church, of which Harold Wenger is allegedly "pastoral leader." (u)

Pittsburgh also reported in referenced communication, that Art McDonald, who stated that he is a member of the CAMC, is actively seeking to expand the number of churches in the Pittsburgh area that are willing to give "sanctuary" to Salvadoran refugees. Pittsburgh also reported that McDonald is translating for the Salvadorans, who claim to speak no English, at these public political "talks" given to small groups. Pittsburgh has now received information publicly distributed by the Thomas Merton Center, that McDonald has recently attended a "conference" held in Washington, D.C., concerning possible future United States actions in El Salvador and Nicaragua. McDonald is also actively engaged in obtaining "pledges" from members of the public to engage in a demonstration to protest a significant rise in United States military involvement in Central America, to be held at the Pittsburgh Federal Building, the day after a rise in involvement; such protest possibly to include "a non-violent civil disobedience." Additionally, McDonald is now seeking work in the Pittsburgh area for the Salvadorans. (u)

The following are the details of the Pittsburgh investigation conducted to date, since the date of the referenced communication: (u)

On 1/6/84, an agent from the Federal Bureau of Investigation (FBI), Pittsburgh, obtained from the Thomas Merton Center, 1111 East Carson Street, Pittsburgh, PA, 15203, a copy of the newspaper Three Rivers Network, December 1983, Volume 1, Number 6, a newspaper disseminated freely and without charge by the Thomas Merton Center to the general (u)

PG 199C-633

public. On the first page of the paper appeared an article in small caption entitled, "First in a Series: The Mennonites," and in large caption, "Churches and the Peace Movement." The article contains a brief description of the history of the Mennonite Church. Then, speaking of the Pittsburgh Mennonite Church, the article states: (u)

The congregation began in 1969, on Meade Street in north Point Breeze as a voluntary service for urban outreach. It now numbers 40 adult attendees and their children and meets in a former funeral home on nearby Thomas Boulevard. (u)

The article then briefly describes the history of the meeting house and states that the first floor of the meeting house is a worship room. The article then continues: (u)

Harold and Christine Wenger, pastoral leaders, and their three children live on the second floor. Another member family rents the third floor. In the basement live two refugees, a married couple from El Salvador. (u)

The article then discusses some activities of the church in the peace movement. It then states: (u)

Although members differ on whether or not to participate in war tax protests, all agreed recently to provide sanctuary in the meeting house for refugees from El Salvador and Guatemala. The decision came after much agonizing, as members weighed personal risks and possible legal consequences against their desire to reach out and help. At times, the discussions were heated and produced tears. When a consensus was finally reached, the congregation and other supportive groups quickly pitched in to convert a basement Sunday School room into an apartment. (u)

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(U) [PG 159C-635] X

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The aroma of chili peppers and spices wafts from the open doorway of the Salvadoran refugees' apartment as one enters the basement. Maria, still learning English, smiles as we pass. She is working a lump of tortilla dough in her hands. On her table is a glass jar with chicory and Queen Anne's lace picked by a protestor at Bettis Atomic Power Laboratory. We wonder if her seeing the children with us brings pangs of loneliness for her many left behind in the care of relatives. (u)

The granting of sanctuary is one way in which the congregation teaches peace to its children..... (u)

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The Wengers maintain three listings in the Greater Pittsburgh White Pages, which read as follows: (u)

"Wenger, Christine, 7211 Thomas Blvd. 247-7574";  
"Wenger, Howard, 7211 Thomas Blvd., 247-7574"; and  
"Wenger, Howard, Pastor, 7211 Thomas Blvd., 242-3167". (u)

On 1/6/84, a copy of "The New People, The Thomas Merton Center" January 1984, Volume 13, No. 1, a newsletter distributed freely and without charge to the general public by the Thomas Merton Center, contained an article entitled, "Jobs Wanted". It stated: (u)

Our Interfaith Sanctuary Movement has decided to seek employment for our two refugees from El Salvador, Gabriel and Maria. Maria can do sewing and is looking to do repair work. She is also willing to do house cleaning. Gabriel will do any kind of odd jobs that are available, i.e. cleaning houses, minor repairs around the house, clerical tasks, etc. Please share this information with your friends, your church or local neighborhood group. We consider this a serious need at the moment. Call Art at the center or Jeff at 362-2093. Feliz Navidad y Un Prospero Ano Nuevo! (u)

(u) [PG 199C-635] (u)

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(u)

Also appearing in this newsletter was an article entitled, "Central America: Peace Witness". Immediately below the caption appears the name Art McDonald. The article outlines latest developments in the "Witness for Peace Action" in Nicaragua, a plan to prevent an invasion of the country by U. S. forces by assembling on that country's border with El Salvador, a human chain of civilian volunteers from the United States. It reports that the first group left the United States to go to Nicaragua on 12/2/83, and that at least eight people from Pittsburgh are also prepared to go to Nicaragua. The article then states:

(u)

Very recently, I attended a conference in Washington, D. C., which made clear connections between the arms race and intervention in third world countries. An expert on Latin America, Janet Schenk, suggested that she thought it more likely that the United States would attempt to intervene more directly in El Salvador than in Nicaragua at the present time. Why? Because the military in El Salvador is doing very badly and there is real fear that the insurgents are winning the conflict. Hence, our opposition to United States aid to that ruthless regime needs to continue. Especially since President Reagan has just recently vetoed congressional insistence that continued aid to the Salvadoran government be tied to "progress on human right."

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(u) [PG 199C-635] (u)

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The article then requested "pledges" to participate in a protest to be staged at the Federal Building in Pittsburgh, to take place from 4-6PM on the first working day following an invasion or serious escalation of military action on the part of the United States. The article then states: (u)

To date, we have over 140 signed pledges and a commitment on the part of 26 people to participate in a non-violent civil disobedience. (u)

Also appearing in the above mentioned issue of "Three Rivers Network" was an article entitled, "No More Vietnam", which reported: (u)

Over 100 Pittsburghers joined with as many as 25,000 other Americans in Washington, on November 12, 1983, to protest U. S. military intervention in Central America and the Caribbean region rallying around a call for "No More Vietnam Wars." (u)

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PG 199C-635

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b7cREQUEST OF THE BUREAU (u)

The Bureau is requested to provide Pittsburgh with any information it may have concerning a recent CISPES meeting or conference held in Washington, D.C., that may have been attended by delegates from Pittsburgh.

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Pittsburgh notes that only information concerning CISPES or CISPES related activities is at this time relevant. (u)

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199C-635

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LEADS

WASHINGTON FIELD

AT WASHINGTON, DISTRICT OF COLUMBIA:

Same as Request of the Bureau.

DALLAS

AT DALLAS, TEXAS:

Same as Request of the Bureau.

SAN ANTONIO

AT SAN ANTONIO, CALIFORNIA:

Same as Request of the Bureau.

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FM FBI DALLAS (199-795) (P)

TO DIRECTOR FBI (199-8848) PRIORITY

(ATTN: SSA [REDACTED])

FBI ALBANY PRIORITY

FBI ALBUQUERQUE (199C-306) PRIORITY

FBI ALEXANDRIA PRIORITY

FBI ATLANTA (199C-359) PRIORITY

FBI BALTIMORE (199C-856) PRIORITY

FBI BIRMINGHAM (199C-155) PRIORITY

FBI BOSTON (199C-815) PRIORITY

FBI BUFFALO (199C-361) PRIORITY

FBI CHARLOTTE PRIORITY

FBI CHICAGO (199C-614) PRIORITY

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FBI DENVER (199C-825) PRIORITY

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FBI HOUSTON (199C-771) PRIORITY

FBI HONOLULU PRIORITY

FBI JACKSONVILLE PRIORITY

FBI KANSAS CITY PRIORITY (u)

FBI KNOXVILLE PRIORITY

FBI LAS VEGAS PRIORITY

FBI LITTLE ROCK (199C-168) PRIORITY

FBI LOS ANGELES (199C-331) PRIORITY

FBI LOUISVILLE (199C-152) PRIORITY

FBI MEMPHIS (199C-258) PRIORITY

FBI MIAMI (199C-565) PRIORITY

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FBI MINNEAPOLIS (199C-553) PRIORITY

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FBI NEWARK PRIORITY

FBI NEW HAVEN (199C-443) PRIORITY

FBI NEW ORLEANS (199C-382) PRIORITY

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 FBI NORFOLK (199C-179) PRIORITY  
 FBI OKLAHOMA CITY (199-963) PRIORITY  
 FBI OMAHA PRIORITY  
 FBI PHILADELPHIA (199C-612) PRIORITY  
 FBI PHOENIX (199C-415) PRIORITY  
 FBI PITTSBURGH PRIORITY (u)  
 FBI ST. LOUIS PRIORITY  
 FBI SAN ANTONIO (199C-768) PRIORITY  
 FBI SAN DIEGO PRIORITY  
 FBI SAN FRANCISCO (199C-1195) PRIORITY  
 FBI SAN JUAN (199C-146) PRIORITY  
 FBI SAVANNAH (199C-99) PRIORITY  
 FBI TAMPA (199C-632) PRIORITY  
 FBI WFO (199C-1397) PRIORITY .

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SECTION ONE OF SIX SECTIONS (u)

COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR

(CISPES) IT-EL SALVADOR; OO: DALLAS. (u)

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(u) [FM FBI DALLAS (199C-795) (P)  
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 FBI MIAMI (199C-565) PRIORITY  
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 FBI MOBILE (199C-96) PRIORITY  
 FBI NEWARK PRIORITY  
 FBI NEW HAVEN (199C-443) PRIORITY  
 FBI NEW ORLEANS (199C-382) PRIORITY  
 FBI NEW YORK (199C-2576) PRIORITY  
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[SECTION TWO OF SIX SECTIONS](u)

COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES) (u)

IT - EL SALVADOR; [OO: DALLAS] (u)

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IN THE UNITED STATES.

NEW HAVEN DIVISION - RE NEW HAVEN AIRTEL TO BUREAU, ET  
AL, DATED NOVEMBER 14, 1983.

ON SEPTEMBER 29, 1983, DR. MIGUEL ANGEL PARADA WAS A  
GUEST IN A PROGRAM CALLED MUNDO LATINO THAT IS TRANSMITTED IN  
SPANISH FROM LOS ANGELES, CALIFORNIA, THROUGH THE SPANISH  
INDEPENDANT NETWORK. HE WAS ASKED, AMONG OTHER THINGS,  
TWO SPECIFIC QUESTIONS. FIRST: HIS OPINION ON THE PROBLEM OF  
EL SALVADOR, AND SECOND: THE PURPOSE OF HIS TRIP TO THE U.S.

HE STATED THAT IN HIS OPINION THE PROBLEM OF EL SALVADOR  
WAS THE RESULT OF 50 YEARS OF MILITARY OPPRESSION, WHICH HAD  
BROUGHT TO THE COUNTRY, POVERTY, MALNUTRITION, ILLITERACY,  
UNEQUAL DISTRIBUTION OF PROPERTY AND WEALTH. HE CONTINUED  
BY STATING THAT THE PRESENT SUPPORT OF THE UNITED STATES  
TO EL SALVADOR WOULD ONLY BRING MORE REPRESSION AND MORE  
VIOLATIONS OF THE HUMAN RIGHTS OF THE SALVADORAN PEOPLE. HE  
GAVE AS AN EXAMPLE THE CLOSING OF THE NATIONAL UNIVERSITY  
CAMPUS ON THE 26 OF JUNE 1980 BY THE SECURITY FORCES AS ONE  
OF THE MOST OUTRAGEOUS VIOLATIONS OF THE HUMAN RIGHTS OF  
OPPORTUNITY TO RECEIVE EDUCATION. HE SAID, THAT HE HAS  
DEMANDED THE REOPENING OF THE CAMPUS BECAUSE THEY ARE HAVING

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TO TEACH IN OLD WAREHOUSES WITH GREAT INCONVENIENCES. TO THE SECOND QUESTION HE ANSWERED THAT THE PURPOSE OF HIS TRIP WAS TO VISIT SEVERAL UNIVERSITIES IN THE U.S. WHERE HE HAS BEEN INVITED TO SPEAK ON THE SUBJECT OF "THE SALVADORAN CRISIS", "THE OBSTACLES FACING THE EDUCATION SYSTEM IN VIEW OF THE CIVIL WAR", "THE NEGATIVE ASPECTS OF U.S. INVOLVEMENT IN EL SALVADOR", ETC., AND TO SEEK "SOLIDARITY" AMONG THE STUDENT COMMUNITY OF THIS COUNTRY IN ORDER TO OBTAIN SUPPORT FOR THE SALVADORANS "STRUGGLE". HE SAID THAT HE WILL BE VISITING SAN FRANCISCO, BERKLEY, DETROIT MICHIGAN, NEW YORK AND OTHER CITIES THAT HE COULD NOT RECALL AT THE TIME. HIS TOUR WAS BEING CALLED "OPERACION AMIGOS" - "FRIENDS OPERATION", BECAUSE OF THE SPONSORING COMMITTEE.

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IT WAS MORE OF AN ORGANIZATIONAL AND COORDINATING TRIP FOR FUTURE ACTIVITIES WITH THE SOLIDARITY GROUPS IN THE UNITED STATES WITH THE LEFT WING GROUPS OF EL SALVADOR (FDR-FMLN). EVERY PERSON THAT THIS MAN WAS IN CONTACT WITH, IS POTENTIAL LINK BETWEEN THE PCS SALVADORAN COMMUNIST PARTY AND THE CPUSA.

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[COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES)] (u)

IT-EL SALVADOR; [OO: DALLAS] (u)

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A BRIEF HISTORY OF THE NATIONAL UNIVERSITY OF EL SALVADOR  
 SHOWS THE COMMUNIST INVOLVEMENT THAT HAS TAKEN PLACE IN THEIR  
 CAMPUS. SINCE 1928 IT HAS BEEN USED AS A SANCTUARY FOR TERRORIST  
 OF MARXIST TENDENCIES. MARIO ZAPATA AND ALFONSO LUNA BOTH

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 [PAGE FIVE DE DL #8863] ~~SECRET~~ (DL 199-795)

FOUNDERS OF THE PCS STUDIED THERE. THE COMMUNIST UPRISING OF 1932 WAS COORDINATED FROM THE UNIVERSITY.

THROUGH THE YEARS THEY CAME TO IMPOSE, AS A REQUIREMENT FOR FIRST YEAR STUDENTS, A COURSE NAMED "GENERAL SOCIOLOGY" THAT WAS NOTHING MORE THAN A COURSE OF INDOCTRINATION OF MARXIST-LENINIST DOCTRINE.

THEY CREATED THE "AUTOMATIC PROMOTION SYSTEM" INTENDED TO HELP THOSE STUDENTS THAT WERE DEDICATED IN A FULL TIME BASIS TO COMMUNIST ACTIVISM.

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THEY SELECTED SPECIAL STUDENTS TO GO STUDY IN EUROPE WHEN ACTUALLY THEY WERE ATTENDING TERRORIST TRAINING CAMPS IN BULGARIA, EAST GERMANY, HUNGARY, AND MOSCOW. LATER, THEY SENT STUDENTS TO NORTH KOREA, PLO CAMPS, AND RED CHINA.

THE AGEUS (GENERAL UNIVERSITY STUDENTS ASSOCIATION OF EL SALVADOR) ELECTED TO THE POSITIONS OF LEADERSHIP, WERE MARXISTS THAT THEY COULD CONTROL AND THEREFORE, CONTROL THE ENTIRE STUDENT BODY. THE STUDENT CONGRESS, THE SUPREME COUNCIL OF THE ENTIRE UNIVERSITY STUDENTS, HAS HAD CONTROL FOR THE PAST 56 YEARS BY MARXIST • LENINIST. THE "OPINION STUDIANTEL" (STUDENT NEWSPAPER) WAS ACTUALLY THE OFFICIAL

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VOICE OF THE COMMUNIST PARTY OF EL SALVADOR AND OF ALL ITS FRONTS. THE POPULAR ORGANIZATIONS LIKE THE BPR, LP-28, FAPU, ANDES, NERS, UDN, MLP, AND THE TERRORIST ORGANIZATIONS FPL, ERP, RN-FARN, FAL, FUR-30, UR-19 WERE ALL CREATED IN THE UNIVERSITY. THE FACULTIES OF LAW, POLITICAL SCIENCE, HUMANITIES WERE THE VANGUARD OF THE COMMUNIST MOVEMENT AT THE UNIVERSITY WITH AROUND 30,000 STUDENTS. WHEN THE SECURITY FORCES WENT IN ON JUNE 26, 1980 THEY MET ARMED RESISTANCE, FINDING THE FOLLOWING: A BOMB FACTORY, A COMPLE-PRINTING PRESS, AN INDOOR FIRING RANGE, AN UNDERGROUND HOSPITAL TO TREAT THE WOUNDED TERRORIST, THOUSANDS OF ROUNDS OF AMMUNITION FOR MORTARS, M-16, GALIL, GARAND, M1 CARABINE, HANDGUNS, HAND GRENADES, MLOTOV COCKTAILS, AND CLAYMORE MINES. THOUSANDS OF BOOKS, PAMPHLETS, POSTERS, AUDIO EQUIPMENT AND VIDEO TAPES WERE CONFISCATED. MANY OF THE FILMS WERE SIMILAR TO THOSE SHOWN BY CISPES. FAKE PASSPORTS, DRIVERS LICENSES, NATIONAL ID CARDS, INTELLIGENCE FILES AND THREE BODIES IN THEIR GASKETS IN THE AUDITORIUM OF THE FACULTY OF LAW WERE ALSO FOUND.

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FBI SAN JUAN (199C-146) PRIORITY

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COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES) (u)  
 IT-EL SALVADOR; [OO: DALLAS] (u)

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DR. MIGUEL ANGEL PARADA HAS BEEN AN ACTIVE PARTICIPANT  
 AND MASTERMIND OF THE LEFTIST MOVEMENT, AND NOW THROUGH THE  
 SOLIDARITY THAT CISPES IS GIVING TO THE GROUPS.

BUFFALO DIVISION - RE BUFFALO AIRTEL TO BUREAU, ET AL,  
 DATED NOVEMBER 30, 1983. DC, TX

~~PHILIP WHEATON~~ IS AN EPISCOPALIAN PRIEST WHO HEADS A GROUP  
 CALLED EPICA, WHICH PROMOTES THE "LIBERATION THEOLOGY" IN  
 LATIN AMERICA AND IN THE UNITED STATES. EPICA GETS \$15,000  
 A YEAR FROM THE NATIONAL COUNCIL OF CHURCHES AND WHEATON ACTS AS  
 AN ADVISER ON LATIN AMERICA AND THE CARIBBEAN. REVEREND ED ROBB,  
 A METHODIST MINISTER WHO KNOWS WHEATON WELL, DESCRIBES THE  
 HEAD OF EPICA AS A "REVOLUTIONARY." WHEATON, WHEN INVITED  
 BY THE DALLAS CHAPTER OF CISPES TO SPEAK AT THE SMU INTER-  
 CULTURAL CENTER, WAS DESCRIBED BY REPORTER TOM STYIER FROM  
 CHANNEL 4 (CBS) DALLAS, AS A "RADICAL MARXIST-LENINIST".  
 WHEATON RUNS A PROGRAM WITH THE METHODIST CHURCH IN WHICH  
 STUDENTS ARE BROUGHT TO THE WASHINGTON DC AREA TO RECEIVE

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INSTRUCTION ON CENTRAL AMERICAN ISSUES. THEY RECEIVE THEIR  
"LIBERATION THEOLOGY," ANTI-AMERICAN RETHORIC, AND A COMPLETE  
DISTORTED VIEW OF THE ROLE OF THE UNITED STATES IN WORLD  
AFFAIRS. IN HIS WRITINGS YOU CAN SEE A MIND TOTALLY SOLD TO  
THE MARXIST-LENINIST PHILOSOPHY. *GROUP*

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OKLAHOMA CITY DIVISION - RE OKLAHOMA CITY AIRTEL TO  
 BUREAU, DATED DECEMBER 14, 1983.

THE SOLIDARITY MOVEMENT WITH THE PEOPLE OF EL SALVADOR  
 IN OKLAHOMA IS USING A VARIETY OF SISTER ASSOCIATIONS TO  
 CARRY ON THE WORK OF ORGANIZATION, PROPAGANDA AND MOBILIZATION.  
 IT IS NOT CLEAR AT THE PRESENT WHERE THESE ORGANIZATIONS ARE  
 OPERATING FROM BECAUSE OF THEIR NEW STRUCTURE. CISPES, NETWORK,  
 SANE, COALITION, INTER-RELIGIOUS TASK FORCE, NARMIC, FCNL,  
 NACIA, IPS, LPC, USPC, NISGUA AND MKNP, AFSC ARE VERY ACTIVE  
 IN THE STATE OF OKLAHOMA.

NEW ORLEANS DIVISION - RE NEW ORLEANS AIRTEL DATED  
 NOVEMBER 30, 1983.

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 NORFOLK DIVISION - RE NORFOLK AIRTEL TO BUREAU,  
 DATED OCTOBER 27, 1983.

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[SECTION FIVE OF SIX SECTIONS] (u)

[COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES)] (u)

IT - EL SALVADOR; [OO: DALLAS] (u)

ALL INFORMATION REGARDING

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\_\_\_\_\_ Page(s) withheld for the following reason(s):  
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☐ For your information: \_\_\_\_\_  
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☒ The following number is to be used for reference regarding these pages:

HQ 199-8848-183 pages 28-30

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NO DUPLICATION FEE  
FOR THIS PAGE  
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DLO 0007 2312150Z

[PP HQ AL AZ AX AT BA BH BS BU CE CG CI CV DN DE EP HO HN JK KC KX  
 LV LN LA LS ME MM MI MP MO NK NH NO NY NF OC OM PH PX PG SL SA SD SF SJ  
 SV TP WFO](u)

[DE DL](u)

P 312044Z JAN 64 (u)

[FM FBI DALLAS (199-795) (P)

[TO DIRECTOR, FBI] PRIORITY

CAITN: SSA [REDACTED] b7c

FBI ALBANY PRIORITY

FBI ALBUQUERQUE (199C-308) PRIORITY

FBI ALEXANDRIA PRIORITY

FBI ATLANTA (199C-359) PRIORITY

FBI BALTIMORE (199C-856) PRIORITY

FBI BIRMINGHAM (199C-155) PRIORITY

FBI BOSTON (199C-815) PRIORITY

FBI BUFFALO (199C-361) PRIORITY

FBI CHARLOTTE PRIORITY

FBI CHICAGO (199C-814) PRIORITY

FBI CINCINNATI PRIORITY

FBI CLEVELAND PRIORITY

FBI DENVER (199C-825) PRIORITY

FBI DETROIT (199C-2076) PRIORITY

ALL INFORMATION ON THIS  
 PAGE IS CLASSIFIED  
 EXCEPT WHERE SHOWN  
 OTHERWISE

~~SECRET~~

(u) (u)  
 PAGE ~~ONE~~ DE DL #8827 ~~SECRET~~ (DL) 199-795

FBI EL PASO (199C-229) PRIORITY

FBI HOUSTON (199C-771) PRIORITY

FBI HONOLULU PRIORITY

FBI JACKSONVILLE PRIORITY

FBI KANSAS CITY PRIORITY

(u) FBI KNOXVILLE PRIORITY

FBI LAS VEGAS PRIORITY

~~ALL INFORMATION ON THIS  
 PAGE IS CLASSIFIED ~~SECRET~~  
 EXCEPT WHERE SHOWN OTHERWISE~~

FBI LITTLE ROCK (199C-168) PRIORITY

FBI LOS ANGELES (199C-831) PRIORITY

FBI LOUISVILLE (199C-152) PRIORITY

FBI MEMPHIS (199C-258) PRIORITY

FBI MIAMI (199C-565) PRIORITY

FBI MILWAUKEE (199C-565) PRIORITY

FBI MINNEAPOLIS (199C-553) PRIORITY

FBI MOBILE (199C-56) PRIORITY

FBI NEWARK PRIORITY

FBI NEW HAVEN (199C-443) PRIORITY

FBI NEW ORLEANS (199C-382) PRIORITY

FBI NEW YORK (199C-2576) PRIORITY

FBI NORFOLK (199C-179) PRIORITY

32

~~SECRET~~

PAGE 2 DE DL #0007 <sup>(u)</sup> ~~SECRET~~ <sup>(u)</sup> (DL 199-795)

FBI OKLAHOMA CITY (199C-963) PRIORITY

FBI OMAHA PRIORITY

FBI PHILADELPHIA (199C-612) PRIORITY

FBI PHOENIX (199C-415) PRIORITY

FBI PITTSBURGH PRIORITY

FBI ST. LOUIS PRIORITY

FBI SAN ANTONIO (199C-768) PRIORITY

FBI SAN DIEGO PRIORITY

FBI SAN FRANCISCO (199C-1155) PRIORITY

ALL INFORMATION ON THIS  
PAGE IS CLASSIFIED  
UNLESS INDICATED OTHERWISE

FBI SAN JUAN (199C-146) PRIORITY

FBI SAVANNAH (199C-99) PRIORITY

FBI TAMPA (199C-630) PRIORITY

FBI WFO (199C-1397) PRIORITY

BT

~~SECRET~~

SECTION SIX OF SIX SECTIONS <sup>(u)</sup>

[COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES)] <sup>(u)</sup>

IT - EL SALVADOR; [OC: DALLAS] <sup>(u)</sup>

ENTIRE CONTENTS OF THIS COMMUNICATION CLASSIFIED ~~SECRET~~. <sup>(u)</sup>

[REDACTED]

162  
67D

4-750 (Rev. 6-17-85)

**FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET**

22 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b1, b2, b7C, b7D, b7E with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

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\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

HQ 199-8848-183 (pages) 34-35

XXXXXX  
XXXXXX  
XXXXXX

DELETED PAGE(S)  
NO DUPLICATION FEE  
FOR THIS PAGE

FBI/DOJ

PAGE 4 DE DL #8667 ~~SECRET~~ (DL 199-795)

~~SECRET~~

FOR THOSE OFFICES JUST BEGINNING INVESTIGATION OF CISPES CHAPTERS, DALLAS SUBMITS THE FOLLOWING WHICH COULD BE USEFUL IN DETERMINING THEIR ACTIVITIES.

1. [REDACTED]

b2  
b7E

ALL INFORMATION ON THIS PAGE IS CLASSIFIED UNLESS INDICATED OTHERWISE

2. CISPES OFTEN ADVERTIZES SOCIAL EVENTS SUCH AS DANCES, BAR-B-QUES, BAKE SALES ETC., TO RAISE FUNDS. THESE EVENTS CAN BE ATTENDED WITHOUT DIFFICULTY.

3. CISPES CLOSELY ALIGNS ITSELF WITH CHURCH GROUPS. IN FACT, MOST CISPES OFFICES HAVE SET UP SANCTUARYS IN CHURCHES, AND HAVE PUBLICALLY BOASTED THE FACT THAT THEY CAN PROTECT ILLEGAL SALVADORANS WITHOUT INTERFERENCE OF GOVERNMENT AGENCIES. [REDACTED]

b7E

36

~~SECRET~~

4-750 (Rev. 4-17-85)

**FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET**

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7E with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
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\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

HQ 199-8848-183, page 37

DELETED PAGES  
NO DUPLICATION FEE  
FOR THIS PAGE



FD-36 (Rev. 6-22-65)

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ AIRTEL

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFY IN:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date 2/2/84 (u)

SECRET

SECRET

TO: DIRECTOR, FBI (199-8848)

FROM: SAC, KANSAS CITY (199C-635)(SQ 4 - WRA)(P)

COMMITTEE IN SOLIDARITY WITH THE  
 PEOPLE OF EL SALVADOR (CISPES) (u)  
 INTERNATIONAL TERRORISM - EL SALVADOR  
 OO: DALLAS (u)

All markings, notations and items of information  
 contained in this communication is classified ~~Secret~~ unless  
 otherwise noted. (u)

Re Bureau airtel to all field offices, captioned as  
 above, 10/28/83. (u)

Enclosed for the Bureau and Dallas is one copy each of  
 a "flyer" obtained at Wichita State University (WSU), 11/17/83.

For info of the Bureau and Dallas, a canvassing of all  
 major campuses in the Kansas City Division re captioned group  
 proved negative, with the exception of WSU, Wichita, Kansas.

On 11/17/83, the writer obtained a flyer captioned  
 "Stop U. S. Intervention in Central America and the Caribbean."  
 This flyer was displayed on a bulletin board in the Liberal Arts  
 Building, Wichita State University (WSU), Wichita, Kansas.

3 - Bureau (Enc. 1) (RM)  
 1 - (1 - CI-3A)  
 2 - Dallas (Enc. 1) (RM)  
 2 - Kansas City  
 b7c

ENCLOSURE ATTACHED

SECRET  
 CLASSIFIED BY 6-3  
 DECLASSIFY ON: OADR

FEB 8 1984

Approved: [Signature] Special Agent in Charge

Transmitted

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 EXCEPT WHERE SHOWN  
 OTHERWISE

SECRET

57 FEB 1 1984

92-568 0119

[KC] (u) (99C-635) X(u)

SEC X T

At the bottom of the flyer was typed: X(u)

Sponsored by the Committee in Solidarity with the People of El Salvador, 2330 N. Oliver, #216-683-9750. The flyer listed numerous dates, ranging from 1823-1983, when the United States had varying degrees of involvement in the Caribbean area. X(u)

On 11/28/83 the mail box for apartment 216 at 2330 N. Oliver (Shadow Lake Apartments) was observed and it had displayed thereon the names Otto and Gentry. X(u)

Public directories for Wichita indicate that a Cam/Camillia Gentry resides at 2330 N. Oliver, Apartment 216, and that she subscribes to telephone #683-9750. The same directories contain no reference to an Otto. X(u)

The 1983-84 WSU Student/Faculty/Staff Directory indicates Camillia A. Gentry is a library staff librarian, and resides at the above address. The same WSU Directory indicates Steven J. Otto also resides at 2330 N. Oliver, Apartment 216, and is a senior in the college of Liberal Arts. X(u)

b2  
b7C  
b7D

[REDACTED] X(u)

[REDACTED] X(u)

[REDACTED] X(u)

b7C  
b7D

[REDACTED] X(u)

Kansas City indices negative re Gentry and Otto. X(u)

b7C  
b7D

[REDACTED] X(u)

SECRET

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11-11-83 BY 1043  
EX-104

**SECRET**

On 11/30/83, copies of the Sunflower, a 3 day per week WSU newspaper, September - November, 1983, were reviewed and no mention was made of CISPES. X-1

[REDACTED] advised CISRES was not known to him, nor had he ever seen a CISRES flyer. *hu*

b1

~~ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 10-10-2001 BY 60322  
UCBAW/STW/STW~~



[EC] 699C-835

SECRET

Several spot checks of the address 2330 N. Oliver, Apartment #216, did not reveal an inordinate amount of people there which would indicate meetings. (u)

On 1/17/84, a review of the Sunflower magazine, indicated a meeting of CISPES was scheduled to be held in Room 314, Campus Activities Center, Wichita State University, at 4:00 PM, on 1/19/84. (u)

Kansas City will continue to monitor activities of CISPES at Wichita State University. (u)

11-17 67C

# STOP U.S. INTERVENTION IN CENTRAL AMERICA AND THE CARIBBEAN

1823: MONROE DOCTRINE SIGNED. U.S. CLAIMS LATIN AMERICA AS ITS "SPHERE OF INFLUENCE."

1833: U.S. troops intervene in Nicaragua

1835: U.S. troops intervene in Peru

1836: U.S. Marines invade Argentina

1854: U.S. destroys San Juan del Norte, Nicaragua to avenge an insult to the U.S. minister

1855: U.S. troops intervene in Uruguay

1856: U.S. invades Panama

1858: U.S. troops intervene in Uruguay

1865: U.S. troops intervene in Panama

1868: U.S. troops intervene in Uruguay

1868: U.S. troops intervene in Columbia

1873: U.S. troops intervene in Columbia

1883: U.S. troops intervene in Panama

1888: U.S. troops intervene in Haiti

1891: U.S. troops intervene in Chile

1894: U.S. troops intervene in Nicaragua

1895: U.S. troops intervene in Columbia

1896: U.S. Marines invade Honduras

1896: U.S. troops intervene in Nicaragua

1898: U.S. troops intervene in Nicaragua

1898: U.S. troops intervene in Cuba, initiating the Spanish-American War

1898: U.S. troops invade Puerto Rico to "liberate" it from Spain

1899: U.S. troops intervene in Nicaragua

1901: U.S. troops intervene in Columbia

1902: U.S. troops intervene in Columbia

1903: U.S. troops intervene in Honduras

1903: U.S. troops intervene in Dominican Republic

1903: U.S. troops intervene in Panama

1906: U.S. troops intervene in Dominican Republic

1906: U.S. troops intervene in Panama

1907: U.S. troops intervene in Honduras

1910: U.S. troops intervene in Nicaragua

1911: U.S. troops intervene in Honduras

1912: U.S. troops intervene in Cuba

1913: U.S. troops intervene in Mexico

1914: U.S. troops intervene in Haiti

1915: U.S. Marines invade Haiti, remain 20 years

1916: U.S. troops intervene in Dominican Republic for 4th time, they remain for 8 years

1919: U.S. troops intervene in Honduras

1920: U.S. troops intervene in Guatemala

1924: U.S. troops intervene in Honduras

1925: U.S. troops intervene in Honduras

1925: U.S. troops intervene in Panama

1926: 5000 U.S. Marines intervene in Nicaragua, and remain for 7 years

1928: 1000 banana workers killed in Columbia for striking against United Fruit Co.

1932: 3 U.S. warships dock in El Salvador, soon after 30,000 peasants are massacred

1954: Eisenhower, the C.I.A., and U.S. military overthrow the constitutional and democratically elected Arbenz government in Guatemala. They install a military dictatorship

1958: Panama declares "state of siege" after 6 are killed in anti-U.S. riots

1959: Cuba becomes first Latin American nation to win independence from the U.S. "sphere of influence"

1961: C.I.A. under Kennedy invades Cuba, but is defeated at Bay of Pigs

1962: U.S. Navy begins its blockade of Cuba

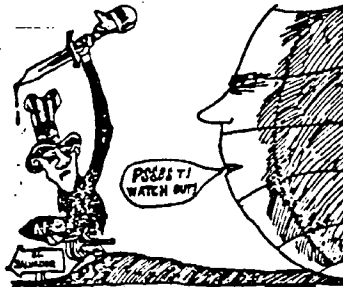
1964: U.S. troops kill student protesters in the Panama Canal Zone

1965: 20,000 U.S. Marines invade Dominican Rep.

1969: "Thorough consideration be given to the elimination of Fidel Castro."

1973: Kissinger, the C.I.A., and the U.S. military sponsor a coup in Chile which overthrows the constitutional and democratically elected government. President Allende and 50,000 other Chileans are murdered

1975: 40 students are killed at the University of El Salvador while demonstrating against U.S. intervention



1979: Nicaragua becomes the 2nd Latin American nation to win independence from the U.S. "sphere of influence"

1983: Congress approves \$80 million in covert U.S. war against Nicaragua

1983: 6,000 U.S. troops stage "mock" blockade of Nicaragua. They wait there now for an excuse to intervene in Nicaragua, or El Salvador which is attempting to become the third Latin American nation to win their independence from the U.S. "sphere of influence"

4-30-78  
 [Signature]  
 [Signature]

DECLASSIFIED BY SP4C/N/K/FA  
 ON 7/30/87

Sponsored by the Committee in Solidarity with the People of El Salvador  
 2330 K Oliver, # 216 683-9750

227X5

(Rev. 8-28-82)

FBI

## TRANSMIT VIA:

- ☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

- ☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

- ☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date 2/7/84 (u)

TO: Director, FBI (199-8848)  
 FROM: SAC, Jacksonville (199C-407) (P)  
 SUBJECT: COMMITTEE IN SOLIDARITY WITH  
 THE PEOPLE OF EL SALVADOR (CISPES) (u)  
 IT - EL SALVADOR  
 OO: DALLAS (u)

~~SECRET~~

8/11/07  
 Classified by SP4ELW/KFA  
 Declassify on: OADR

This communication is classified "Secret" in its entirety. (u)

## ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

EXCEPT WHERE SHOWN

OTHERWISE

Re Bureau airtel to all offices, 10/28/83. (u)  
 Information contained in this communication was obtained from public sources:

CISPES was first noted to be in Tallahassee, Florida, when this name appeared on an advertisement as a co-sponsor for Mario Velasquez, Representative to the U.S. from the Revolutionary Democratic Front. Velasquez spoke on campus at Florida State University (FSU) on 4/21/81, on "The Struggle for Independence in El Salvador".

On 10/12/82, an article appeared in the Florida Flambeau, campus newspaper, FSU, entitled, "CISPES Is Not a 'Commie Front'", written by Felix Masud. The

SECRET

Classified by 83

Declassify on: OADR

Approved: EEJUR (10)  
 b7c

- Bureau  
 2 - Dallas  
 1 - Miami  
 2 - Washington Field  
 2 - Jacksonville

Transmitted

~~SECRET~~

(u) [JK] [99C-407] (u)

~~SECRET~~

article stated in part, "We support the Democratic Revolutionary Front and the Farabundo Marti National Liberation Front..." At the end of the article, Masud was described as the local "coordinator" for CISPES. (u)

Masud, a FSU student, first came to be noted in an article in the Florida Flambeau on 4/14/80, when he furnished an opinion concerning the incident when 10,000 Cuban people stormed the Peruvian Embassy seeking asylum in other countries. Masud stated that Castro used this opportunity to rid Cuba of counter-revolutionaries. Masud admitted to travelling to Cuba in 1979, on a trip sponsored by the Antonio Maceo Brigade. (u)

Masud has been the only person referred to in a possible leadership role. Other persons making statements in behalf of CISPES are always referred to as a member or spokesperson and all appear to be students at FSU. (u)

The Tallahassee chapter of CISPES admits to being the first chapter in Florida which consists of students and professors at FSU. (u)

The local chapter has no known local office but takes advantage of being students to obtain use of FSU campus facilities. (u)

The Fall, 1983, issue for the Center for Participants Education (CPE) lists a non-credit course entitled, "No Viet Nam War in Central America (CISPES)", which meets on the first and third Wednesday of each month at 7:30 p.m., in a building on campus at FSU. The instructor is listed as "The Group". (u)

CPE emerged on campus at FSU about thirteen years ago for the purpose of "addressing more relevant and timely issues and providing opportunities to learn more practical skills". Consequently, you have a hodge-podge of non-credit classes running the gambit from Chinese Calligraphy to Food and Nutrition. However, it should be noted the program is funded by the FSU student government. (u)



~~SECRET~~(u)  
[JK] 199C-407 (u)

On the staff of CPE is Moni Basu, Office Coordinator, FSU student and admitted member of CISPES. (u)

In the "collective" of CPE are admitted members of CISPES, Geoff Smith (law student) and Paul Kamolnick, FSU student, and Felix Masud. (u)

It should be noted CPE was the other co-sponsor for the appearance of Mario Velasquez, supra. (u)

The 1982 FSU Student/Faculty Directory lists Felix Roberto Masud, FSU Box 6442, Tallahassee, Florida, telephone 904/575-9343. It is noted Masud is a graduate student in the College of Arts and Sciences. (u)

b7C  
b7D

[REDACTED] (u)

[REDACTED] (u)

[REDACTED] (u)



~~SECRET~~

(u) [JK] 199C-407 (u)

CISPES is known to have conducted protest demonstrations at the U.S. Army Recruiting Office, Federal Building in Tallahassee, Florida, and conducted a Guerilla Theater to dramatize the killing of the foreign nuns in El Salvadore. Tallahassee CISPES organization is also combined with the Tallahassee Peace Coalition, a group of local persons and ministers who speak out on the increasing possibilities of nuclear war. (u)

Overall, it appears the Tallahassee chapter of CISPES is composed of students at FSU and has no known local office. It is believed to conduct its meetings on campus and uses the facilities of the CPE. (u)

REQUEST OF THE BUREAU (u)

b7C  
b7D  
b7E

Bureau authority is also requested to allow Buagents to conduct surveillances on campus at FSU pertaining to students and faculty members of CISPES. (u)

LeadsMiami DivisionAt Miami, Florida (u)

[REDACTED] (u)

SECRET

(u) [JK] [199C-407] (u)

b7C

Jacksonville DivisionAt Tallahassee, Florida (u)b7C  
b7D  
b7E

Will hold any further investigation in abeyance  
until Bureau authority is received [redacted]  
[redacted] authorizing surveillance of  
student and/or faculty members of CISPES on campus of FSU. (u)

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☐ AIRTEL

FBI

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS 7(u)  
 Date 12/18/84

TO: DIRECTOR, FBI (u)  
 FROM: SAC, PITTSBURGH (199C-623) (F)  
 SUBJECT: UNDERCOVER PROPOSAL  
 COMMITTEE IN SOLIDARITY WITH  
 THE PEOPLE OF EL SALVADOR (CISPES) (u)  
 INTERNATIONAL TERRORISM -  
 EL SALVADOR  
 (OO: DALLAS) (u)

This communication is classified "~~Secret~~" in its entirety. (u)

Re Pittsburgh teletype to Bureau dated 1/26/84, and captioned, "CENTRAL AMERICAN MOBILIZATION COALITION (CAML); IT-EL SALVADOR; (OO: PG)", Bureau airtel to Pittsburgh dated 1/26/84 and captioned as above and Bureau airtel to Pittsburgh dated 10/28/83 and captioned as above.

Bureau is invited to submit a code name for instant proposed undercover operation (UCO).

SECRET

199-8848-227

Classified by: [redacted]  
 Declassify on: OADR

[12 FEB 18 1984] (u)

2 - Bureau (u)  
 (2 - CMC)  
 (2 - CISPES)  
 2 - Dallas  
 2 - Pittsburgh (u)

djb  
 (8)

Transmitted

(Number) (Time)

Per

8/11/87  
 Classified by SP4ELH/KPA  
 Declassify on: OADR

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 EXCEPT WHERE SHOWN  
 OTHERWISE

SECRET

SECRET

[u] PG 199C-623 (u)

(1. IDENTITY OF TARGET) (u)

The committee in Solidarity With the People of El Salvador (CISPES) is a national organization involved in activities supporting Communist insurgents in El Salvador. CISPES overtly takes a political stance opposing U. S. Government policy in El Salvador and Central America, and collects funds and materials ostensibly for Salvadoran refugees and aliens in Central America and the U. S. The CISPES leadership covertly furnishes the above funds and materials to the guerrillas in El Salvador; assists in the maintenance of camps in the United States for the rehabilitation and reindoctrination of Salvadoran guerrillas and Salvadoran guerrilla sympathizers either to be returned to the fighting in El Salvador or to remain in the U. S. to establish guerilla cells in the United States.

b1 [REDACTED] CISPES has many chapters and branches throughout the United States which often utilize front names rather than CISPES such as, in the San Antonio area, Proyecto Libertad (PL), Proyecto Hospitalidad (PH), and Latin American Assistance (LAA). (u)

Investigation at Pittsburgh has disclosed an organization in the Pittsburgh area calling itself the Central American Mobilization Coalition (CAMC). This group has been identified as the regional CISPES chapter. This group is also active in assisting and advancing CISPES sponsored activities. (u)

Investigation at Pittsburgh has disclosed that the CAMC is actively engaged in fund raising activities in the Pittsburgh area. Bureau has provided Pittsburgh additional information that the CAMC was one of two groups arranging programming in the United States for Alejandro Molina Lava, Organizing Secretary of the National Federation of Salvadoran Workers (FENASTRAS) and a (u)

SECRET

(u) [PG] 199C-623 (u)

~~SECRET~~

b1

member of the United Popular Action Front (UPAF). This information indicated that Molina was in the U. S. actively seeking contributions for the Central American Solidarity Committee (CASC), which is largely influenced and directed by the UPAF. Additionally, the CAMC is involved in, or has connection with, a group or organization that has created an underground for smuggling Salvadoran illegal aliens from Mexico into and across the U. S. Two Salvadoran illegal aliens are now being sheltered in the Pittsburgh area. Their known activities include the attendance of meetings of political and church organizations and the giving of political speeches describing the "oppressiveness" and "brutality" of the Salvadoran government and the justness of the guerrilla cause. They describe themselves as having been labeled "guerrillas" by the Salvadoran government. (u)

The CAMC also has connections, of an unknown extent, with a program called the "Witness for Peace Action," which involves the travel of chosen individuals from the Pittsburgh area to Nicaragua for a period of one or two weeks (apparently depending upon the travelers choice). The program's advertised purpose is to line the borders of Nicaragua with U. S. citizens in an attempt to prevent the invasion of that country by U. S. forces. Fifteen people from the Pittsburgh area are involved with this trip, and will leave for Nicaragua 3/16/84, to return 3/26/84. (u)

The specific target of this operation is those members and affiliates of the CAMC and CISPES who are knowingly supporting the Salvadoran guerrillas in the U. S. and Central America and furnishing to them financial and material support. A member or affiliate of the CAMC has described the membership of the CAMC as a hard core of former Socialist Worker Party (SWP) members, most of them in their mid-thirties or early forties, who were once active in the anti-Vietnam War movement and who are "more inclined toward violent demonstrations" than to peaceful demonstrations. (u)

~~SECRET~~



(u) PG/199C-623 (u)

~~SECRET~~

[2. OPERATIONAL SCENARIO] (u)

The membership of the CAMC and its affiliated groups appears generally to be of two type groups: the "core" membership and the "affiliate" membership. The "core" membership consists of individuals with strong Communist or Socialist beliefs who have a history of being active in Communist or Socialist political organizations, some since the Vietnam War era. The "affiliate" membership, on the other hand, consists in large part of local college students relatively new to the political scene. It has at least one female high school student member. Some of these younger "affiliate" members appear to be politically unsophisticated in that they know little of international current events save what they read or hear at their political meetings. Pittsburgh has noted at least two of these members or affiliates both were young females. Another group of "affiliate" members consists of older college students, or perhaps graduate students, who appear to have a high degree of political awareness in that they are knowledgeable of world events and are aware of the Communist and U. S. interpretation of these events. These members or affiliates are often members of other groups, such as the Young Socialist, or The Thomas Merton Center. (u)

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[REDACTED] (u)

[REDACTED] (u)

[REDACTED] (u)

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(u) PG 199C-623 (u)

b2  
b7E

## [3. PURPOSE OF OPERATION] (u)

The purposes of this operation are as follows: (u)

1)

2)

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b1  
b2  
b7D  
b7E

The purpose of the operation is not to investigate the exercise of First Amendment rights of CISPES or CAMC members who politically oppose the U. S. policy in El Salvador and Central America. It's purpose is, instead, to investigate 1) those (u)

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(u) PG 199C-623 (u)

involved in, and the purpose behind the violations of federal law of smuggling and sheltering illegal aliens in the Pittsburgh area 2) the potential for violent demonstrations in the Pittsburgh area and; 3) the extent that these and other clandestine activities are intended to aid foreign terrorists. (u)

4. JUSTIFICATION OF USE OF UNDERCOVER (UC) TECHNIQUE (u)

[REDACTED] (u)

[REDACTED] (u)

[REDACTED] (u)

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[u] PG 199C-623 [u]

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[REDACTED] (u)

[REDACTED] (u)

[REDACTED] (u)

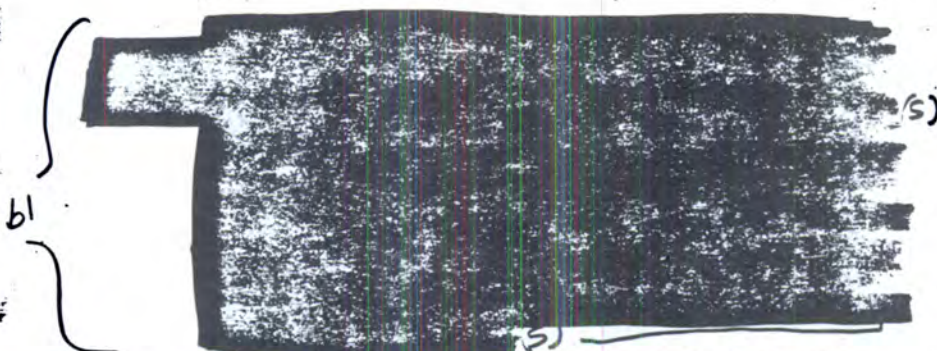
The Privacy Act of 1974 ammended Title 5, United States Code (USC), Section 552a(e) to include the following provision: (u)

"(e) Agency Requirements - Each agency that maintains a system of records shall - (u)

(7) maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity; (u)

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[PG 199C-623] (u)

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Title 28, Code of Federal Regulations (CFR), Section 16.56 promulgated under the authority of the Attorney General and applicable to All FBI employees provides that employees shall (u)

"(5) Neither collect, maintain, use nor disseminate information concerning an individual's religious or political beliefs or activities or his membership in associations or organizations, unless (1) the individual has volunteered such information for his own benefit; (2) the information is expressly authorized by statute to be collected, maintained, used or disseminated, or (3) the activities involved are pertinent to and within the scope of an authorized investigation, adjudication or correctional activity. (u)

Both membership in a political organization and speaking out in public against particular actions or policies of the U.S. Government are generally within the protective restrictions of subsection (e) (7) of the Privacy Act (herein (u)

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[PG 199C-623] (u)

~~SECRET~~

after referred to as (e) (7) data). However, the collection and maintenance of such information is justified if it is pertinent to and within the scope of an authorized law enforcement activity. (u)

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b5  
b7E



The UCA whose background has been set forth is acutely aware of and sensitive to First Amendment considerations. He has been and will continue to be briefed by the PLA regarding First Amendment issues as they arise. The ultimate goal being the elimination of irrelevant and unwarranted collection and maintenance of information concerning one's practice of his Constitutional rights of freedom of religion, press, assembly, speech and petition. The key words here are irrelevant and unwarranted: irrelevant to the stated objective of this investigation, and unwarranted in the absence of appropriate authority for the collection of such information. (u)

Accordingly, within the limits herein set forth, and with adequate controls to insure what starts out on course remains on course, the undercover proposal merits approval. The legal issue is recognized and minimization principles will be applied and supervisory oversight insured. (u)

[14. RISK OF VIOLENCE TO PEOPLE OR PROPERTY] (u)

No risk of violence to people or property is anticipated in this scenario. (u)

[PG] 199C-623

~~SECRET~~18. CARRYING OF FIREARMS BY UCA

It is anticipated that no firearms will be carried by UCA while participating in instant scenario.

19. SPECIAL TRAINING

No special training is anticipated for UCA.

20. NATURE AND EXTENT OF TRAVEL OUTSIDE FIELD DIVISION

None anticipated.

21. SAC RECOMMENDATION:

I have reviewed this proposal in its entirety. It is a worthwhile venture which I believe deserves consideration. Accordingly, I recommend this UC proposal be approved.

15\*

~~SECRET~~



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[RR HI

DE MI](u)

R 290604Z [FEB 84](u)

FM MILWAUKEE (199C-385) (P)

TO DIRECTOR (199-8848) ROUTINE

(u) BT

~~SECRET~~

COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES);

IT-EL SALVADOR DO: DALLAS](u)

THIS ENTIRE COMMUNICATION IS CLASSIFIED "SECRET"(u)

RE BUREAU TELETYPE TO MILWAUKEE, FEB. 21, 1984. (u)

FOR INFORMATION OF FBIHQ, THE MILWAUKEE CENTRAL AMERICAN  
 SOLIDARITY COALITION (CASC) IS THE NEW NAME FOR THE COALITION TO  
 AID NICARAGUAN DEMOCRACY/COMMITTEE IN SOLIDARITY WITH THE PEOPLE  
 OF EL SALVADOR.

INVESTIGATION OF CASC TO DATE HAS NOT DEVELOPED ANY INFORMATION

RECEIVED  
TELETYPE UNIT

[29 FEB 84 05 23](u)

FEDERAL BUREAU  
OF INVESTIGATION2/10/87 SP4CWW/KCA  
Classified by

Declassify on: OADR

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 EXCEPT WHERE SHOWN  
 OTHERWISE

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|---------------------------|--|
| Exec AD Adm.              |  |
| Exec AD Inv.              |  |
| Asst. Dir.:               |  |
| Adm. Serv.                |  |
| Crim. Inv.                |  |
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| Insp.                     |  |
| Intell.                   |  |
| Lab.                      |  |
| Legal Coun.               |  |
| Off. Cong. & Public Affs. |  |
| Rec. Mgmt.                |  |
| Tech. Serv.               |  |
| Training                  |  |
| Telephone Rm.             |  |
| Director's Sec'y          |  |

FEB 21 1984 (u)

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EXCEPT WHERE SHOWN

OTHERWISE

Classified by [signature]

[PAGE TWO MI (u) (199C-385) ~~SECRET~~ (u)]

THAT MEMBERS OF CASC ARE KNOWINGLY INVOLVED IN COVERT ACTIVITIES OF CISPES. HOWEVER, MILWAUKEE DIVISION CANNOT STATE WITH ANY DEGREE OF CERTAINTY THAT THIS IS THE CASE. (u) **SECRET**

AS FAR AS INTERVIEWS OF MEMBERS ARE CONCERNED, THE INTERVIEWING AGENTS HAVE EXPLAINED THE FBI'S LEGITIMATE INVESTIGATIVE OBJECTIVES PRIOR TO ANY INTERVIEW WHEN THE PERSON INTERVIEWED PERMITTED SUCH. (u)

[REDACTED]

b7D  
b7E

ALTHOUGH FBIHQ HAS MADE CLEAR THE OBJECTIVES OF THIS INVESTIGATION, MILWAUKEE DIVISION DOES NOT HAVE ANY SPECIFIC DETAILS CONCERNING SPECIFIC ACTIVITIES OF CISPES, I.E. TERRORIST AND COVERT ACTIVITIES. (u)

[REDACTED] IN INTERIM, (u)

b2  
b7E

ATTEMPT TO ANALYSE CASC INFORMATION IN ORDER TO MEET INVESTIGATIVE OBJECTIVES. (u)

~~SECRET~~ (u)

BT (u)

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T  
☐ UNCLAS

Date 3/6/84

SECRET

SECRET

TO: DIRECTOR, FBI (199-8848)  
 Attention: SSA [REDACTED]

FROM: SAC, PHILADELPHIA (199-612) (SQ12) (P)

SUBJECT: COMMITTEE IN SOLIDARITY WITH THE PEOPLE  
 OF EL SALVADOR (CISPES)  
 IT-EL SALVADOR  
 OO: DALLAS

This communication classified "SECRET" in its entirety.

Re Bureau teletype dated 12/22/83 and Dallas teletype to the Bureau dated 1/31/84.

For the information of the Bureau and Dallas, investigation at Philadelphia has determined that a chapter of CISPES along with the below listed organizations and/or groups are actively involved in demonstrations, seminars, marches, etc., regarding the U.S. intervention in Central America, the Caribbean and El Salvador. The various groups involved in these matters are as follows:

1. Committee in the Solidarity with the People of El Salvador (CISPES) - 215-386-9250
2. Feminists in Solidarity with Central American and Caribbean People (FSCACP) - 215-848-8756
3. Central American Working Group (CAWG) - 215-387-7906

SECRET

CLASSIFIED BY G-3  
 DECLASSIFY ON OADR

3 - Bureau (199-8848) (RM)

1 - CI-3A

2 - Dallas (199-795) (RM)

2 - Philadelphia (199-612) (SQ12)

Classified by [REDACTED]  
 Declassify on: OADR

Approved:

Transmitted

(Number)

(Time)

Per

DECLASSIFIED BY SP4 BLN/KER  
 ON 8/11/87

SECRET



SECRET

PH 199-612

4. ~~Christians Concerned about El Salvador (CCAES)~~  
 215-324-1273

5. ~~Central America Solidarity Group (CASS), Univer-~~  
~~of Pennsylvania, Philadelphia, PA.~~

6. ~~Friends Peace Committee (FPC), 1501 Cherry Street,~~  
~~Philadelphia, PA.~~

7. ~~Comite del Istmo (CMI)~~

8. ~~Delaware Valley Committee in Solidarity with the~~  
~~People of El Salvador (DVCSPES)~~

9. ~~Philadelphia Labor Committee in Support of Democracy~~  
~~and Human Rights in El Salvador (PLCSDHRES) - 215-228-2374~~

10. ~~Hospital Worker's Union (HWU), 1319 Locust~~  
~~Street, Philadelphia, PA, 19107~~

11. ~~Afro-American Coalition for a Free Grenada (AACFG)~~

12. ~~International Worker's Party (IWP), President -~~  
~~DAVID OYSON, South Street, Philadelphia, PA. - 215-387-8631~~

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[PH] 199-612

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PHILADELPHIA

AT PHILADELPHIA, PA

Investigation continuing.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11/11/01 BY 60322

SECRET

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**U.S. Department of Justice**  
**Federal Bureau of Investigation**

**In Reply, Please Refer to  
File No.**

Dallas, Texas  
April 2, 1984

SEP 17 1964

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DATE 02-08-2001 BY 60322

COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF  
EL SALVADOR, also known as  
COALITION IN SUPPORT WITH THE PEOPLE OF  
EL SALVADOR (CISPES)  
INTERNATIONAL TERRORISM - EL SALVADOR?

b1 (s)

8/19/87  
Classified by SP4ELW/KFA  
Declassify on: OADR

The entire contents of this communication classified "Secret".

Office of Origin: Dallas

**Date Investigative Summary Prepared: March 28, 1984**

**Basis for Investigation:**

Committee in Solidarity with the People of El Salvador (CISPES), provides international support to the leftist movement in El Salvador, formed in 1980. It is a broad coalition of groups and individuals opposed to United States intervention in El Salvador, and attempts to educate the United States public of the legitimacy of the opposition movement represented by the Democratic Revolutionary Front (FDR), the political arm of the El Salvador Leftist Movement.

Information was furnished to the Federal Bureau of Investigation, Dallas Division, [that CISPES is an organization that consists of groups] (S) (C) (U)

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Sources whose identities are concealed herein have furnished reliable information in the past except where otherwise noted.

~~Classified by 7000~~  
~~Declassify on 0000~~

Classification: SECRET

CLASSIFIED DECISIONS FINALIZED  
BY D.F. [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
DATE: 7-17-10 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

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~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR

(S)  
b1 (S)  
(S)  
CISPES was formed in 1980 to oppose United States intervention in El Salvador and to support the struggle of Salvadoran people. To accomplish this, CISPES supports the FDR-FREN, and have issued the following statements: (S)(u)

"CISPES provides international support for the opposition movement in El Salvador and recognize the FDR-FREN as the only political party in El Salvador". (S)(u)

"That the Salvadoran people express their immediate needs and historic interests through the FDR which is the political organization expressing the unification of all forces opposing the junta from every sector of Salvadoran society and through the FREN, the military organization expressing the same unified oppositions". (S)(u)

"They bring to the people of the United States a truthful portrayal of the FDR/FREN". (S)(u)

"To raise funds for the purpose of providing housing, food and medical care to refugees". (S)(u)

"Those who think the Salvadoran Army can win are deluding themselves. In the past few months, the Salvadoran Army has launched many offenses against the positions of the FREN. Not only has the FREN (S)(u)

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~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR

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(S) [REDACTED]

(S)(u)

Federal Bureau of Investigation Headquarters, (FBIHQ) advised in May, 1983, a bomb exploded at the U. S. Army National War College, Fort McNair, Washington, D. C. An unidentified individual contacted a local radio station in Washington, D. C. a few days after the bombing and advised that "we are in Solidarity with the People of El Salvador, and Guatemala and have taken action because people are trained at the NWC". At the time of the bombing, representatives of the Committee in Solidarity with the People of El Salvador (CISPES) were meeting in Washington, D. C. (S)(u)

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b7D

(S) [REDACTED]

(S)(u)

(S)(u)

(S)(u)

(S)(u)

~~SECRET~~

~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR

b1 (S) [REDACTED]

(S) [REDACTED]

(S) [REDACTED]

In June, 1983, San Juan Division advised the CISPES leader in San Juan is Jose Enrique Colon-Santana, an attorney. He is known to travel throughout the Caribbean in promotion of movements against the government of El Salvador. (S)(u)

b1 (S) [REDACTED]

b7D (S)(u) [REDACTED]

(S)(u) [REDACTED]

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[REDACTED]

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[REDACTED]

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(u)

In July, 1983, San Francisco Division, advised CISPES initiated a march, rally and sea blockade at the Naval Weapons Station, Concord, California. Approximately 50 demonstrators attended without incident. (u)

In July, 1983, Norfolk Division determined address in Newport News, Virginia, which is a library/bookstore used by CISPES, and also is utilized by the Young Socialist Alliance, and other such groups. Bookstore contained posters and other literature in support of Black Power, and Black Militancy. (u)

[REDACTED]

[REDACTED]

b1

(S)

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~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR

According to a CINCPAC flyer, Lucio Chavez represents the FDR, an acronym in Spanish that stands for the Federation of Revolutionary Trade Unions (Federacion de Sindicatos Revolucionarios), which belongs to the FDR (Frente Democratico Revolucionario), Democratic Revolutionary Front. Chavez was allegedly captured and tortured by the Salvadoran Army and National Guard in December, 1979. He was later freed due to solidarity actions of the unions and popular organizations. (X)W

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~~SECRET~~~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR~~ (u)

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(S)

b7c

Los Angeles Division advised in November, 1983, that an individual [redacted] with a group called Alliance for Survival in Los Angeles. Alliance for Survival has been active in coordination with CISFAS. (S)(u)

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COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR

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(S)

[REDACTED]

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[REDACTED]

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[REDACTED]

(S)

[REDACTED]

(S)

[REDACTED]

(S)

In July, 1984, Mobile Division reported contents of a radio (S)

~~SECRET~~

~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR

talk show, whose guest was Dr. Steve Schaeffer, who spoke on behalf of CISPES. Schaeffer stated CISPES was knowingly supporting the Salvadoran guerrillas, and CISPES is backed by the Catholic Church and other groups. (X)(U)

b1 { [REDACTED] (S)

b1 { [REDACTED] (S)

b7C  
b7D { [REDACTED] (U)

b1 { [REDACTED] (S)

~~SECRET~~

~~SECRET~~

COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR

(S)

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Receiving offices should note this ISM Summary does not include information regarding CISPES demonstrations, picket lines, protests, boycotts, or other similar activities, which number in the hundreds. (S)(u)

In reviewing the seven volumes of CISPES investigation, Dallas submits the following two sections. First is a list of groups, either in support of CISPES or connected with CISPES in some fashion. The second is a list of chapters and leaders where provided. These lists are by no means all-inclusive. (S)(u)

List of groups, organizations connected with CISPES or mentioned in relation to CISPES activities; (S)(u)

1. Feminists in Solidarity with Central America and Caribbean People (FSCAP)
2. Central American Working Group (CAWG)
3. Christians Concerned About El Salvador (CCAES)
4. Central America Solidarity Group (CASG), University of Pennsylvania, Philadelphia, Pennsylvania
5. The Friends Peace Committee (FPC), Philadelphia, Pennsylvania
6. Comité del Norte (CON)

~~SECRET~~

~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

7. Delaware Valley Committee in Solidarity with the People of El Salvador (DVCSPES)
8. The Philadelphia Labor Committee in Support of Democracy and Human Rights in El Salvador (PLCSDHRES)
9. The Hospital Workers Union (HNU)
10. The Afro-American Coalition for a Free Grenada (AACFG)
11. The International Workers Party (IWP), Philadelphia, Pennsylvania
12. The Nicaragua Solidarity Committee of Detroit
13. The Birmingham Committee in Solidarity with Central America
14. The United Campuses Against Nuclear War
15. The November 12th Coalition
16. The Guatemala Solidarity Committee (NUSGUA)
17. The Sans
18. Peace Links
19. Non-Intervention in El Salvador Committee
20. The Central American Solidarity Coalition (CASC)
21. The People's Coalition for Peace
22. National Network in Solidarity with the Nicaraguan People
23. The Network Solidarity of the People of Guatemala
24. The Central American Solidarity Coalition
25. The Central American Mobilization Coalition (CAME)
26. The El Salvador Committee
27. The National Nicaraguan Nations
28. Washington Office on Latin America
29. Peace and Justice Center of South California

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 08-10-2001 BY 60322  
UCBAW/BJS/STP

~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

30. Central American Solidarity Coalition
31. The Catholic Connection, Incorporated
32. Oxfam-America, Incorporated
33. The Central America Solidarity Association (CASA) (u)
34. The Task Force
35. The Birmingham Committee in Solidarity with Central America
36. The Network in Solidarity with the People of Guatemala (NISGUA)
37. The People's Alternative to the Kissinger Commission
38. The Association in Solidarity with Guatemala (ASOGUA)
39. National Association of Women's Religion
40. Washington Area Labor Committee on Central America and the Caribbean
41. Casa El Salvador
42. Central American Refugee Committee (CRECER)
43. U. S. Anti-Imperialist League (USAIL)
44. People's Anti-War Mobilization (PAW)
45. Oscar Romero Coalition
46. Union of Democratic Philippines (UDP)
47. Testro Nuestro
48. The United Freedom Front (UFF)
49. Fenestras Organization in California
50. U. S. Anti-Imperialist League (USAIL)
51. John Brown Anti-Klan Committee (JBKAC)
52. The Central American Mobilization Coalition (CMC)

ALL INFORMATION ON THIS  
PAGE IS TO BE  
CLASSIFIED AS SECRET

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~~SECRET~~COMMITTEES IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR

53. The February 27th Coalition
54. The Raleigh Citizens of Central America (RCCA)
55. Caroline Interfaith Task Force on Central America
56. The New Movement in Solidarity with the Puerto Rican and Mexican Revolutions
57. The Colorado Committee Against Repression
58. The New Movement in Solidarity with the Mexican Revolution
59. The Mexico Information Committee
60. The Armed Resistance Unit
61. The U. S.-Mexico Border Conference in Solidarity with the People in Central America and the Caribbean.
62. The Tucson Committee for Human Rights (TCHR)
63. The Tucson Committee for Human Rights in Latin America
64. The War Emergency Network
65. Citizens for Education on Nuclear Arms
66. The Dallas Peace Center
67. Dallas Friends Service Group
68. Fellowship of Reconciliation
69. Inter-Religious Task Force on Central America
70. The Sisters League.
71. The Friends of the University of El Salvador
72. The West Coast Labor/Central America Solidarity Network (WCL/CASN)
73. Committee for Trade Union Unity (CTUU)
74. National Lawyers Guild
75. International Organization Against Repression

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~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

- 76. Prairie Fire Organizing Committee (PFOC)
- 77. The Alliance for Survival
- 78. The Southern Christian Leadership Conference
- 79. ACLU
- 80. The Southern California Interfaith Task Force on Central America
- 81. Casa El Salvador
- 82. Casa Nicaragua
- 83. Cal State LA Latin American Society
- 84. Coalition Against the Marcos Dictatorship
- 85. Committee in Solidarity with Central America
- 86. Committee in Solidarity with the Palestinian People
- 87. Committee to Resist the Draft
- 88. Communist Workers Party
- 89. Democratic Socialists of America
- 90. Federation for Progress
- 91. El Rescate
- 92. Fenestras
- 93. Friends of the University of El Salvador
- 94. Guatemala Information Center
- 95. Harbor Area Peace Committee
- 96. Medical Aid for El Salvador
- 97. Mexican Students Society
- 98. New Jewish Agenda
- 99. Peace and Freedom Party

~~SECRET~~

~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (4)

- 100. Nicaraguan Task Force
- 101. Revolutionary Socialist League
- 102. Socialist Party USA
- 103. U. S. Out of Central America (USOCA)
- 104. U. S. Anti-Imperialist League
- 105. U. S. Vietnam Friendship Association
- 106. Venceremos Brigade
- 107. National Alliance Against Racist and Political Repression (NAARPR)
- 108. Committee of Central American Refugees (CCRA)
- 109. FARM
- 110. FOR
- 111. Friends of the Nicaraguan Culture
- 112. USA-Mexico Border Commission
- 113. Federation for Progress-Senastros
- 114. U. S. Catholic Conference
- 115. El Salvador Committee
- 116. Task Force on El Salvador and Central America
- 117. Clergy and Laity Concerned
- 118. Mary Knoll Sisters
- 119. Sisters of Benedict
- 120. The New Orleans Nicaraguan Solidarity Organization (NONSOS)
- 121. Amnesty International
- 122. Washington Committee Against Registration in the Draft
- 123. Progressive Student Network

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HEREIN IS UNCLASSIFIED  
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~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

- 124. Progressive Student Network
- 125. Committee in Solidarity of Puerto Rico
- 126. Cuban Institute of Friendship
- 127. EPICA
- 128. FDR Solidarity Information Center
- 129. NACLA
- 130. E. A. W. D. Coalition for Human Rights in Latin America (u)
- 131. Black Liberation Army
- 132. Socialist Workers Party
- 133. American Federation of Teachers
- 134. American Resistance Committee
- 135. Brown Hispanics Community
- 136. National Hard Times Conference (NHTC)
- 137. All People's Congress
- 138. Interfaith Group

LIST OF CISPES CHAPTERS AND LEADERS

|             |   |
|-------------|---|
| Albany      | Unknown   |
| Albuquerque | CISPES<br>1912 Sunset Gardens S.W.<br>Albuquerque, New Mexico<br>505/262-1515<br><br>Leader: Paula Ballen |
| Alexandria  | Unknown   |
| Anchorage   | Unknown   |
| Atlanta     | (Atlanta 404-622-2606)<br>(Columbus, Georgia (404-377-0678-<br>205-290-2032                               |

~~SECRET~~

~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

|                |  |
|----------------|--|
| Baltimore      | Unknown  |
| Birmingham     | Birmingham Committee in Solidarity with<br>Central America<br>900 6th Avenue West<br>Birmingham, Alabama<br>205-786-4101   |
| Boston         | CISPES - N.E. Region<br>124 S. Street<br>North Hampton, Massachusetts<br>413-586-8471<br><br>CISPES - N.E. Region<br>P. O. Box 525<br>Astor Station<br>Boston, Massachusetts<br>617-493-8699 |
| Buffalo        | Unknown  |
| Butte          | Unknown  |
| Charlotte      | Unknown  |
| Chicago        | CISPES - Central Region<br>3411 W. Diversity, Room L1<br>Chicago, Illinois<br>312-227-2720<br><br>Leader: Steve Feuerstein   |
| Cincinnati     | Unknown  |
| Cleveland      | Unknown  |
| Columbia, S.C. | Unknown  |
| Dallas         | CISPES - Bethany House<br>4910 Bonnie View<br>Dallas, Texas<br>214-375-3715<br><br>Leader: Sister Patricia Ridgley   |

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~~SECRET~~[ COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR ] (u)**Denver**

CISPES - Boulder  
525 S. 42nd Street  
303-499-8653

CISPES - Colorado Springs  
315 N. Tejon  
Colorado Springs, Colorado  
475-7948

Leader: Gonzalo Santos  
P.O. Box 2235  
Boulder, Colorado

**Detroit**

CISPES  
1920 25th Street  
Detroit, Michigan  
313-841-9200

**El Paso**

CISPES - El Paso  
915-532-8132  
El Paso Solidarity Committee  
P.O. Box 9035  
El Paso, Texas

**Honolulu**

CISPES - Hawaii  
808-942-0437

Leader: Chris Chrysaere

**Houston**

CISPES  
6061 Beverly Hills  
6202  
Houston, Texas

**Indianapolis**

Unknown

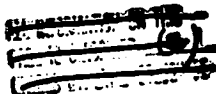
**Jackson**

Unknown

**Jacksonville**

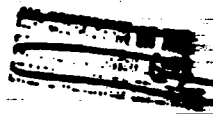
CISPES  
Campus of Florida State University  
Tallahassee, Florida  
904-575-9343

Leader: Felix Roberto Masad

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~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

|             |  |
|-------------|--|
| Kansas City | CISPES - W.S.U.<br>2330 N. Oliver<br>216-683-9750<br><br>Leader: Camillia Gentry   |
| Knoxville   | CISPES<br>P.O. Box 8597<br>University of Tennessee<br>Knoxville, Tennessee<br>(DORRANT)<br><br>Leader: Arthur Reed, Jr.  |
| Las Vegas   | Unknown  |
| Little Rock | Unknown  |
| Los Angeles | A. CISPES - Echo Park Chapter<br>1467 Echo Park Avenue<br>660-4587<br><br>B. CISPES L.A. - Southwest Region<br>P.O. Box 57337<br>Los Angeles, California<br>213-484-1046<br>213-623-7176 |
| Louisville  | P.O. Box 2005<br>Louisville, Kentucky<br>502-584-3210<br>502-637-1422<br><br>Leader: J. Phillip Griffin  |
| Memphis     | Unknown  |
| Miami       | CISPES - Southwest Region<br>P.O. Box 249123<br>Coral Gables, Florida  |
| Milwaukee   | Central America Solidarity Coalition<br>1016 N. 9th Street<br>Milwaukee, Wisconsin<br>414-224-9362   |

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## COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (14)

Minneapolis CISPES  
P. O. Box 14574  
Minneapolis, Minnesota  
612-375-0105

Mobile Unknown

Newark Unknown

New Haven Unknown

New Orleans CISPES  
2714 Banks Street or  
916 St. Andrew Street  
New Orleans, Louisiana  
504-523-5773  
822-8884  
482-7115

Leader: John Linder

New York 19 W. 21st Street  
New York, New York  
212-242-1040

CISPES-Eastern Region  
853 Broadway #811  
New York, New York  
212-473-4848

Norfolk CISPES  
P.O. Box 3070  
Hampton, Virginia

Possible Leader:  
Karl Beckman  
3916 Shell Road  
Hampton, Virginia

Oklahoma City CISPES - Oklahoma  
2937 N.W. 17th  
Oklahoma City  
405-949-1928

Leader: Rex Friend

~~SECRET~~

~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

|                |   |
|----------------|---|
| Omaha          | <p>CISPES - Omaha<br/>122 North 40 Street, #3<br/>Omaha, Nebraska<br/>402-551-5678</p> <p>Leaders: Ken Jelinala<br/>Jane Pemberton</p>  |
| Philadelphia   | <p>CISPES<br/>215-386-9250</p>  |
| Phoenix        | <p>A. CISPES - Phoenix<br/>59 Deertrail<br/>Phoenix, Arizona Ponderosa Park<br/>Prescott, Arizona<br/>602-445-8954</p> <p>B. CISPES - A.S.U.<br/>Tempe, Arizona</p> <p>Leaders:<br/>Michael Steward<br/>Francis Lechner</p> |
| Pittsburgh     | <p>Central American Mobilization Coalition<br/>P.O. Box 7234<br/>E. Carson Street<br/>Pittsburgh, Pennsylvania<br/>381-1400</p>   |
| Portland       | Unknown   |
| Richmond       | Unknown   |
| Sacramento     | Unknown   |
| St. Louis      | Unknown   |
| Salt Lake City | <p>Central American Solidarity Coalition<br/>P.O. Box 511153<br/>Salt Lake City, Utah<br/>801-533-9185</p> <p>Leaders: Diana Potts<br/>Diane Hynes</p>  |

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~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

|                   |  |
|-------------------|--|
| San Antonio       | CISPES - Regional Office<br>P.O. Box 8407<br>University of Texas<br>Austin, Texas<br><br>Leader: Ernesto Cordova   |
| San Diego         | CISPES<br>714-692-9476<br><br>Leaders: Susan Norwood<br>Donald Cohen<br>Noreen Sullivan  |
| San Francisco     | CISPES<br>3410 19th Street<br>San Francisco, California<br>415-861-0425<br>415-431-2113  |
| San Juan          | Unknown<br><br>Leader: Jose Enrique Colon-Santana  |
| Savannah          | Unknown  |
| Seattle:          | CISPES - Seattle<br>206-323-5698   |
| Springfield, Ill. | Unknown  |
| Tampa             | CISPES<br>University of Southern Florida   |
| Washington, D.C.  | CISPES - National Office<br>930 F. Street<br>Room 720<br>Washington, D. C.<br>202-887-5019<br>202-887-5020<br>202-887-5021<br>887-5021<br>202-393-8436<br>202-393-8437 |

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DATE 10-10-2001 BY 1043

REASON: 1.05-2

AUTHORITY: 25 USC 552

EXEMPTION: 1.05-2

~~SECRET~~

COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

Washington, D. C. cont.:

WFO Chapter  
1322 18th Street, N.W.  
Washington, D. C.  
202-822-9712

Leader: Heidi Travers

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COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

Washington, D. C. cont.:

WFO Chapter  
1322 18th Street, N.W.  
Washington, D. C.  
202-822-9712

Leader: Heidi Travers

Dallas Comments:

(b1) [REDACTED] (S)

[REDACTED] (S)

[REDACTED] (S)

CUSPIS committees are currently divided into six regions, although according to WFO these divisions may be soon changed. Each region is also divided again into sub-regions. Organized regions and sub-regions allow committees to develop their work in the context of a national organization and movement. Sub-regions were developed to facilitate direct contact and communication between committees that are geographically close to each other and to strengthen the participation of local chapters and national strategy development and action implementation.

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~~SECRET~~COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (u)

Committees in each region select one regional coordinator who is responsible for guaranteeing coordination and development of CISPES work throughout the region. A regional leadership body made up of the regional coordinator and the sub-regional coordinators from each of the sub-regions facilitates the development of regional strategies. Some regions have regional offices or centers which serve as resource information centers for local organizing. These centers distribute literature, films, slide shows, mailings with regional and local CISPES, news, organizing ideas, and updates on current situations in El Salvador. There is also a national administrative committee which is made up of the regional coordinators and designated members of the national office staff.

CISPES committees are charged with the following duties:

- a. To present qualified speakers, slide shows, films etc., in churches, local unions and community gatherings.
- b. To organize demonstrations, to keep constant pressure on public officials and alert communities about continued military escalation.
- c. To educate the public concerning the situation in El Salvador and presenting the United States as the aggressor.
- d. To raise money for what CISPES says is refugee aid and to support medical clinics in the FMLA/FDR controlled zones in El Salvador.
- e. To participate in the growing movement to provide sanctuary to Salvadorans in the United States.

Investigation has determined that CISPES is very closely connected with the United States Catholic Church. The Church, who agrees with most CISPES philosophy, have set aside various sanctuaries to be used to house illegal Salvadorans in the United States. There are some who will take only Salvadorans, no other type refugees is allowed.

61 The Catholic Church has openly boasted that it is free to protect these refugees without being concerned of local or Federal law enforcement agencies.

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DATE 08-11-2010 BY 60322

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COMMITTED IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR

**OBJECTIVE**

61

Dallas feels that an important objective which must be met in the near future is the infiltration of the "STRUCTURES", which are being set up by CISPES throughout the country under the protection of the Catholic Church.

61

The following pages relate to the 1984 ~~CISRS~~ ~~National~~  
Administrative Committee Strategy Regional:

**REPORT**

**RECEIVED**

f (Rev. 5-20-82)

FBI

## TRANSMIT VIA:

- ☐ Teletype  
☐ Facsimile  
☒ AIRTEL

## PRECEDENCE:

- ☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

- ☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date 5/11/84 (u)

378

TO: DIRECTOR, FBI (199-8848)  
 FROM: SAC, CINCINNATI (199C-500) (P)

COMMITTEE IN SOLIDARITY WITH THE  
 PEOPLE OF EL SALVADOR (CISPES) (u)  
 IT-EL-SALVADOR  
 (OO: DALLAS) (u)

SECRET

SEE REVERSE  
 SIDE FOR  
 CLASSIFICATION  
 ACTION

This communication is classified "Secret" in its  
 entirety. (u)

b1 [REDACTED] (S)

b1 [REDACTED] (S)

SECRET

Classified by SPY ELW/KFA  
 Declassify on: OADR

8/20/87

Classified by SPY ELW/KFA  
 Declassify on: OADR

- 2 - Bureau  
 2 - Dallas (199C-795)  
 2 - Detroit (199C-2076) (SQ. C2-1)  
 2 - Louisville (199C-150)  
 6 - Cincinnati (u)  
 (2 - 199C-500)

b1 (S) [REDACTED]

mkg

(14)

Classified by SPY ELW/KFA  
 Declassify on: OADR

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 OTHERWISE

b7C

Approved: RLQ

Transmitted

(Number)

(Time)

Per

DO NOT WRITE IN THESE SPACES  
 EXCEPT BY AUTHORITY OF THE  
 FBI

XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☒ Deleted under exemption(s) b1, b7C, b7D with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

\_\_\_\_\_ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

HQ 199-8848-378 page 2

XXXXXX  
XXXXXX  
XXXXXXXXXXXXXXXXXXXXXXXXXX  
X DELETED PAGE(S) X  
X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXX



(u)  
 CI 199C-500

~~SECRET~~

b7c identical with Cincinnati has no current information which may be

Cincinnati has only once before heard reference to the Central American Task Force which was the sponsor for an advertisement in the Cincinnati Enquirer Newspaper, p. C-6, Tuesday, 3/24/81. At that time it was called "The Cincinnati Central American Task Force" and immediately under that heading was carried the name "STEPHANIE LINDSEY, Sisters of Charity, Mount St. Joseph, Ohio 45051 (513) 244-4896". The article was entitled, "Let the People of El Salvador Decide!"

REQUEST OF THE BUREAU

The Bureau is requested to furnish Cincinnati with guidelines regarding investigation of captioned matter, vis-a-vis religious organizations - specifically the Roman Catholic Church.

b1  
LEADS

DETROIT DIVISION

AT DETROIT, MICHIGAN

CINCINNATI DIVISION

AT CINCINNATI, OHIO

*Consultation*

~~SECRET~~

AIRTEL  
SECRET

Director, FBI (100-8848)  
SAC, Dallas (u)

COMMITTEE IN SOLIDARITY WITH  
THE PEOPLE OF EL SALVADOR (CISPES) (u)  
IT - EL SALVADOR  
OO: Dallas (u)

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DATE 10/20/00 BY 60322

This communication is classified "Secret" in its entirety. (u)

Re Jacksonville airtel dated 2/7/84. (u)

Classified by 60322  
Declassify on: OADR

Jacksonville's aggressiveness in approaching this investigation is  
appreciated by FBIHQ.

b7D  
b7E

Authority to conduct physical surveillances on the Florida State  
University campus for the purpose of identifying leaders of CISPES and their  
activities as they concern the CISPES investigation is authorized.

2 - Jacksonville (u)  
2 - Miami (u)

100-8848-389

JUN 1 1984 (u)

May 30 1984  
FBI  
Exec AD Adm.  
Exec AD Inv.  
Exec AD LES  
Asst. Dir.:

Adm. Serv.  
Crim. Inv.  
Ident.  
Insp.  
Intell.  
Lab.  
Legal Coun.  
Off. Cong. &  
Public Affs.  
Rec. Mgmt.  
Tech. Serv.  
Training  
Telephone Rm.  
Director's Sec'y

SECRET  
Classified by 60322  
Declassify on: OADR

Classified by SPY/ML/KFA  
Declassify on: OADR

See NOTE

RM  
4253

JUL 13 1984

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DATE 10/20/00 BY 60322

SECRET

376

~~SECRET~~

{ Airtel to Dallas } (u)  
RE. Committee In Solidarity with  
the People of El Salvador (CISPES) (u)  
GT - El Salvador (u)  
OO: Dallas (u)

NOTE: Above matter regarding surveillance was coordinated with [REDACTED] 67C  
Intelligence Division. (u)



AIRTEL  
SECRET

~~SECRET~~ b7C (u)  
[7/12/84]

(u)  
Director, FBI  
SAC, Albuquerque

DECLASSIFIED BY SP4ELW/KEA  
ON 9/3/87

COMMITTEE IN SOLIDARITY WITH  
THE PEOPLE OF EL SALVADOR (CISPES) (u)  
IT - EL SALVADOR

Classified by SP4ELW/KEA  
Declassify on: OADR

This communication is classified "Secret" in its entirety. (u)

Enclosed for recipients is one copy of a 6/25/84 letter to the Director from Mike Boos, Program Director for the Young America's Foundation, and enclosures to that letter.

The enclosure is furnished for the information of recipients. (u)

For the information of Washington Field, a letter is being forwarded to Mr. Boos advising him to contact Washington Field should he have further information which he believes may be pertinent to the FBI's investigative responsibilities.

#### Enclosure

- 2 - Alexandria (Enc.)
- 2 - Baltimore (Enc.)
- 2 - Birmingham (Enc.)
- 2 - Boston (Enc.)
- 2 - Charlotte (Enc.)
- 2 - Chicago (Enc.)
- 2 - Columbia (Enc.)
- 2 - Dallas (Enc.)
- 2 - Denver (Enc.)
- 2 - Detroit (Enc.)
- 2 - El Paso (Enc.)
- 2 - Houston (Enc.)
- 2 - Jacksonville (Enc.)
- 2 - Kansas City (Enc.)
- 2 - Los Angeles (Enc.)
- 2 - Louisville (Enc.)

- 2 - Miami (Enc.)
- 2 - Milwaukee (Enc.)
- 2 - Minneapolis (Enc.)
- 2 - New Orleans (Enc.)
- 2 - New York City (Enc.)
- 2 - Norfolk (Enc.)
- 2 - Philadelphia (Enc.)
- 2 - Phoenix (Enc.)
- 2 - Portland (Enc.)
- 2 - St. Louis (Enc.)
- 2 - San Antonio (Enc.)
- 2 - San Diego (Enc.)
- 2 - San Francisco (Enc.)
- 2 - San Juan (Enc.)
- 2 - Tampa (Enc.)
- 2 - Washington Field (Enc.)

JUL 13 1984 (u)  
Exec AD Adm.  
Exec AD Inv.  
Exec AD LES  
Asst. Dir.:  
Adm. Serv.  
Crim. Inv.  
Ident.  
Insp.  
Intell.  
Lab.  
Legal Coun.  
Off. Cong. &  
Public Affs.  
Rec. Mgmt.  
Tech. Serv.  
Training  
Telephone Rm.  
Director's Sec'y

ALL INFORMATION ON THIS  
PAGE IS CLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE

The attached enclosure is  
enclosed to Mr. Webster and  
to Mr. Sullivan. The  
original to Mr. Webster  
is attached to the  
bottom of a letter to  
Mr. Boos regarding  
CISPES.

Classified by SP4ELW/KEA  
Declassify on: OADR

JUL 17 1984 (u)

4233

b7C

# YOUNG AMERICA'S FOUNDATION

SUITE 812, 11800 SUNRISE VALLEY DRIVE  
RESTON, VIRGINIA 22091 • (703) 620-5270

## Board of Directors

President  
RON ROBINSON  
Reston, Virginia  
KENNETH CRIBB, ESQ.  
Spertansburg, South Carolina  
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Washington, D.C.  
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Washington, D.C.  
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Center for Strategic and  
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Former U.S. Senator  
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Austin, Texas  
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University of Dallas  
(Title for Identification Only)

OUTSIDE SOURCE

June 25, 1984

Mr. Edward J. O'Malley  
Assistant Director of Intelligence  
Federal Bureau of Investigation  
J. Edgar Hoover Building  
Washington, D.C. 20003

Dear Mr. O'Malley:

Enclosed please find a copy of an article  
that I have written on DC CISPES and the supporting  
documentation for the article.

This article, which exposes a DC CISPES project  
designed to provide direct military assistance to  
the terrorist FMLN/FDR in El Salvador, will appear  
in a soon to be published issue of The American  
Sentinel.

I obtained this information and the supporting  
documents by attending the 9 June meeting of CISPES.

If you would like more information on this  
meeting please do not hesitate to contact me.

Sincerely,

*Mike Boos*  
Mike Boos  
Program Director

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ON 9/3/87

MB/1403

Enclosure

1-ENCLOSURE

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JUL 17 1984

FFW

FOR THE AMERICAN SENTINEL



GROUP IN NATION'S CAPITOL TO AID LEFT-WING TERRORISTS



BY MICHAEL BOOS  
25 June 1984

GROUP IN NATION'S CAPITOL TO AID LEFT-WING TERRORISTS

Documents obtained from a recent meeting of the Washington, D.C. chapter of the Committee in Solidarity with the People of El Salvador (CISPES) reveal that the group will soon launch a fundraising campaign to provide direct military assistance to the Soviet supported Marxist terrorists seeking to overthrow the recently elected government of El Salvador.

During its meeting of 19 June, the D.C. CISPES chapter announced a plan to raise nearly \$17,000 over the next six months for a project dubbed "DC CISPES Material Aid Campaign." Funds from this campaign will be used to build a "shoe factory" in the town of Teague, El Salvador. CISPES claims that this shoe factory will be used to make and repair shoes for the 605 local residents of Teague and two small neighboring towns. However, upon close examination of the DC CISPES documents it becomes apparent that this project will do much more than provide shoes to the local residents.

The DC CISPES Material Aid Campaign is actually part of a comprehensive material aid project being jointly sponsored by San Francisco CISPES and a group calling itself New El Salvador Today (NEST). The SF CISPES/NEST project is designed to provide nearly \$45,000 in direct material aid to the "local popular governments" of Teague, Los Albertos and Los Dubon. These are three small towns located in El Salvador's Chalatenango province. All three towns are presently occupied by the Soviet supported Marxist terrorists of the FMLN/FDR.

According to the DC CISPES documents, the goals of the SF CISPES/NEST project are to "develop new values" in the three small communities through "collective work," provide food to the local population and the "popular army" (FMLN/FDR), provide medicine to the medical clinic, and to build a "small shoe factory."

The DC CISPES chapter has agreed to raise the money to build the shoe factory. This factory when completed will be able to make and repair over 6,000 pair of shoes per year. Since the total population of Tequeque and its neighboring towns is only 605, the project would appear to be designed to provide every man, women and child living in the area with at least 10 pair of shoes. However this is not the case because the shoes are not being made and repaired for the exclusive use of the local residents.

In reality the overwhelming majority of the shoes to be made and repaired by the Tequeque shoe factory will be used by the FMLN/FDR. The documents from the DC CISPES meeting acknowledge that the terrorists of the FMLN/FDR will be living in the three occupied towns. These documents list the terrorist FMLN/FDR as an advisory group to the "popular junta" of the "local popular government." And they state that food to be grown in the area will be used to feed these terrorists.

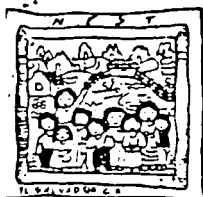
Additionally, the DC CISPES documents state that the three small towns targeted for the CISPES/NEST aid project are only accessible by dirt roads that are "barely passable." Thus the

possibility that the surplus shoes will be used to trade with other communities is quite remote.

Furthermore, the "1984 CISPES National Administrative Committee Strategy Proposal," an internal document published by the CISPES National Office, states that one of the primary functions of CISPES is to "provide material support for the FMLN-FDR in El Salvador."

Taking into consideration all of these facts, and the fact that intelligence sources inside El Salvador report that the FMLN/FDR relies upon the civilian population of occupied areas for logistical support, there is only one possible conclusion regarding the DC CISPES Material Aid Campaign. The conclusion is that the primary beneficiaries of the Teague shoe factory will be the Soviet supported Marxist terrorists of the FMLN/FDR. And the aid that the FMLN/FDR will receive from CISPES will come in the form of combat boots, a type of direct military assistance.

\*At the conclusion of the 9 June meeting of DC CISPES, members were asked to volunteer to assist the chapter in generating news media coverage for the Material Aid Campaign. The first meeting for these volunteers was to be held at 11:00 AM on 10 June at the national office of the Institute for Policy Studies.



## New El Salvador Today

NEST

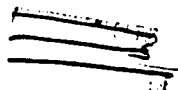
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EL SALVADOR

CENTRAL AMERICA

Project for Agriculture, Health and a Shoe Factory  
 for the Local Popular Government of Tequeque, Los  
 Albertos and Los Dubon, Chalatenango Province



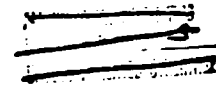
Staff Diane Greene, Campaign Coordinator

8 Sandra Serbas, Sister Cities Coordinator

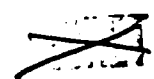
Cathy Curtis, Administrator

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- I. Geographical Location
- II. Population Distribution
- III. Political Situation
- IV. Social Organization
- V. Project Objectives
- VI. Community Contribution
- VII. Project Descriptions
  - A. Agriculture
  - B. Health
  - C. Shoe Factory
  - D. Total Project Budget
- VIII. Project Follow-up and Control





Outline

Location of Project: The hamlets of Tequeque, Los Albertos and  
Los Dubon, Chalatenango province, El Salvador,  
Central America.

Duration of Project: 6 months

Population Affected: 605

Assistance per person: \$75.00

Subtotals:

Agriculture \$21,280

Health 8,563

Shoe factory 15,121

Total Cost: \$44,964

Project for Agriculture, Health and Shoe Factory for the Local Popular Government (Poder Popular Local - PPL) of the hamlets of Tequeque, Los Albertos, and Los Dubon.

### I. Geographical Local and Description of Project Site

The hamlets of Tequeque, Los Albertos and Los Dubon are found in the municipality of Arcatao, Chalatenango. The most remote, Los Dubon, is 6 kilometers south of Arcatao. It is an area with small ravines. We travel to Arcatao by dirt roads that are barely passable in the summer.

The soil is rocky and sandy and not very fertile, which limits production to the winter, from May to October or November. Our hamlets are humble ones with dirt roads that are dusty in the summer and muddy in the winter. The houses, those left after such a prolonged war, are made of adobe, clay bricks with straw, dried in the sun. The houses normally only have one room plus a partially opened kitchen. There are also fruit trees such as mango, lemon, jocote, avocado, etc. There are dogs, chickens, etc. although today there are fewer than before because many have been killed during invasions and bombings.

### II. Distribution of Population

We are a population of 605 persons (as of July, 1983). A large part of this is children. The population is distributed as follows:

|          | Los Dubon | Tequeque | Los Albertos | Total |
|----------|-----------|----------|--------------|-------|
| men      | 45        | 51       | 84           | 180   |
| women    | 36        | 47       | 96           | 179   |
| children | 46        | 79       | 121          | 246   |
| total    | 127       | 177      | 301          | 605   |

We must admit that turn-over is relatively high due to the conditions of war in which we live, which obliges us to evacuate occasionally.

### III. Political Situation

On September 25, 1983, in the northern province of Chalatenango, an unprecedented event took place: the formation of the first sub-regional government in the insurgent history of El Salvador. This constitutes another step in the consolidation of the PPLs, permitting a greater development of collective work: production, health, education, self-defense, etc. and increases the capacity to confront the the daily problems that the war imposes.

The consolidation of the PPL has been made possible as a result of the greater military control that the revolutionary forces exercise in this province. Of the 33 municipalities in Chalatenango, 27 have been virtually liberated from the Salvadorean government army by the FMLN. 90% of the province is controlled by the revolutionary forces.

Nevertheless, the army is constantly attempting invasions, which forces us to always be prepared and on the alert, taking the necessary measures to defend our population. The last invasions were in May of this year, but we didn't suffer great losses.

#### IV. Social Organization

Our hamlets are organized within a PPL, the bases of the new government. The PPL is the highest organism of popular leadership that has been created in the zones under revolutionary control. Its principle function is to organize the social and economic life of the population, to consolidate the liberated territories and defend what we have won.

We have broken all the repressive patterns of the Alvaro Magana regime, clearing the way for new forms of coexistence and work among peoples. Within this framework, the PPLs are developing agriculture and cattle raising, fishing, workshops, education and health care and all types of political-cultural activities.

Our PPL is organized in the following manner:

President - Eliazar  
 Vice President - Alfredo  
 Committee Chairpeople  
     Production and Education - Narciso  
     Public Works - Marcos  
     Self-Defense - Carlos

We are conscious that only by working collectively will we be able to consolidate the PPL and with it the zones of control and the revolutionary movement. These are the most important factors to achieve our true liberation.

#### V. Project Objectives

- a. We have stated as our first objective, to push collective work as the way to develop new values in our community.
- b. To secure basic nutrition for the population producing enough to feed 605 people for one year.
- c. To contribute to the nutrition of the compañeros of the popular army.
- d. To provide the Tequeque clinic with basic medicines for 6 months.
- e. To establish a small shoe factory that would, in 6 months, take care of the most urgent need for new shoes and repair those shoes that are still useable.

#### VI. Contribution of the Community

- We have land available on which to plant the crops.
- We have some tools, such as machetes and sickles, but we don't have all that is needed.
- There is a small clinic in Tequeque and we have 6 health care workers who can administer first aid,

treat the wounded, remove schrapnel, perform minor surgery, and remove molars.

- We contribute our daily work not only in the area of production, but also defending the crops, the workshops and our people.

## VII. Description of the Projects

### A. Agriculture

1. We plan to plant corn, sorghum, beans and vegetables, attempting to cover the minimum necessities of the population and to contribute to feeding the companeros of the popular army. Moreover, we have to take into consideration, as a consequence of the war, the fact that our crops could be destroyed by the bombings of the Salvadorean Air Force. We estimate that it will be necessary to plant 135 manzanas of land distributed in the following manner:

|              | corn       | sorghum     | beans      | vegetables |
|--------------|------------|-------------|------------|------------|
| Los Dubon    | 8 manzanas | 11 manzanas | 5 manzanas | 5 manzanas |
| Tequeque     | 10 "       | 16 "        | 6 "        | 10 "       |
| Los Albertos | 17 "       | 26 "        | 11 "       | 10 "       |
| Total        | 35 "       | 53 "        | 22 "       | 25 "       |

one manzana equals 1.7 acres

We will plant primarily sorghum and corn, since the land is not the best quality, and these crops give the greatest yield. In regard to the vegetables, we will try to increase production since we use them to feed the sick in the clinic. They are also used to prepare popular medicines.

### 2. Necessary Items

To plant the crops we have estimated the following requirements

Corn 35 manzanas, per manzana = \$173.00

| <u>Item</u>             | <u>Unit Price</u> | <u>Total Cost</u> |
|-------------------------|-------------------|-------------------|
| 18qq of seed            | 33                | \$600.            |
| fertilizers:            |                   |                   |
| 77 qq of formula        | 28                | 1,983             |
| 35 qq of sulfate        | 22                | 758               |
| herbicides              | 40                | 1,400             |
| insecticides            | 22                | 758               |
|                         |                   | <hr/>             |
|                         |                   | \$5,500           |
| plus 10% administration |                   | 550               |
| Total Cost              |                   | <hr/>             |
|                         |                   | \$6,050           |

qq - quintal (1 quintal = 100 pounds)

6. First Aid Kit

The overall necessities are calculated as follows

|   |                |
|---|----------------|
| Analgesics  | \$117          |
| Antibiotics   | 667            |
| Treatment supplies (gauze, cotton, disinfected, bandages, etc.) | 667            |
|   | <u>\$1,451</u> |
| Plus 10% Administration   | 145            |
|   | <u>\$1,596</u> |

7. Total Proposal for Health Project

|                      |                |
|----------------------|----------------|
| Parasite Treatment   | 4,686          |
| Anti-malaria         | 829            |
| Vitamin Treatment    | 455            |
| Anti-diarrhea        | 586            |
| Skin disease         | 411            |
| First Aid Kit        | <u>1,596</u>   |
| Total Health Project | <u>\$8,563</u> |

C. Shoe Workshop

Given the huge need, we want to establish a shoe workshop that would, in part, provide new shoes and repair used ones. Six companeros will be able to produce 100 pairs of shoes per month and repair 430 per month.

1. Equipment and Tools

|                         |                |
|-------------------------|----------------|
| 2 sewing machines       | \$2,000        |
| 15 shoe                 | 375            |
| 3 metal feet            | 50             |
| 18 shoe maker's knives  | 120            |
| 7 hammers               | 23             |
| 7 tongs or forceps      | 23             |
|                         | <u>\$2,591</u> |
| Plus 10% Administration | 259            |
| Total                   | <u>\$2,850</u> |

2. Materials for Production for 6 months

|                             |         |
|-----------------------------|---------|
| 92 leather sheets           | \$1,380 |
| 92 sole sheets              | 920     |
| 138 neolite sole sheets     | 2,070   |
| 184 undersoles              | 1,127   |
| 18 boxes of machine needles | 150     |
| 138 cones of thread         | 276     |
| 138 sponge sole sheets      | 1,840   |
| 92 boxes of eyelet holes    | 491     |
| 27 gallons of glue          | 252     |
| 230 dozen heels             | 1,840   |
| 46 boxes of 1 inch nails    | 46      |
| 55 boxes of 1/4 inch tacks  | 55      |
| 73 boxes of buckles         | 608     |
|                             | <hr/>   |
|                             | 11,155  |
| Plus 10 % Administration    | 1,116   |
| Total                       | <hr/>   |
|                             | 12,271  |

3. Total Cost of Project

|           |           |
|-----------|-----------|
| Tools     | 2,850     |
| Materials | 12,271    |
|           | <hr/>     |
|           | \$ 15,121 |

D. Total Cost of Proposal

|                |           |
|----------------|-----------|
| Agriculture    | \$ 21,280 |
| Health         | 8,563     |
| Shoe Factory   | <hr/>     |
|                | 15,121    |
| Total proposal | <hr/>     |
|                | \$ 44,964 |

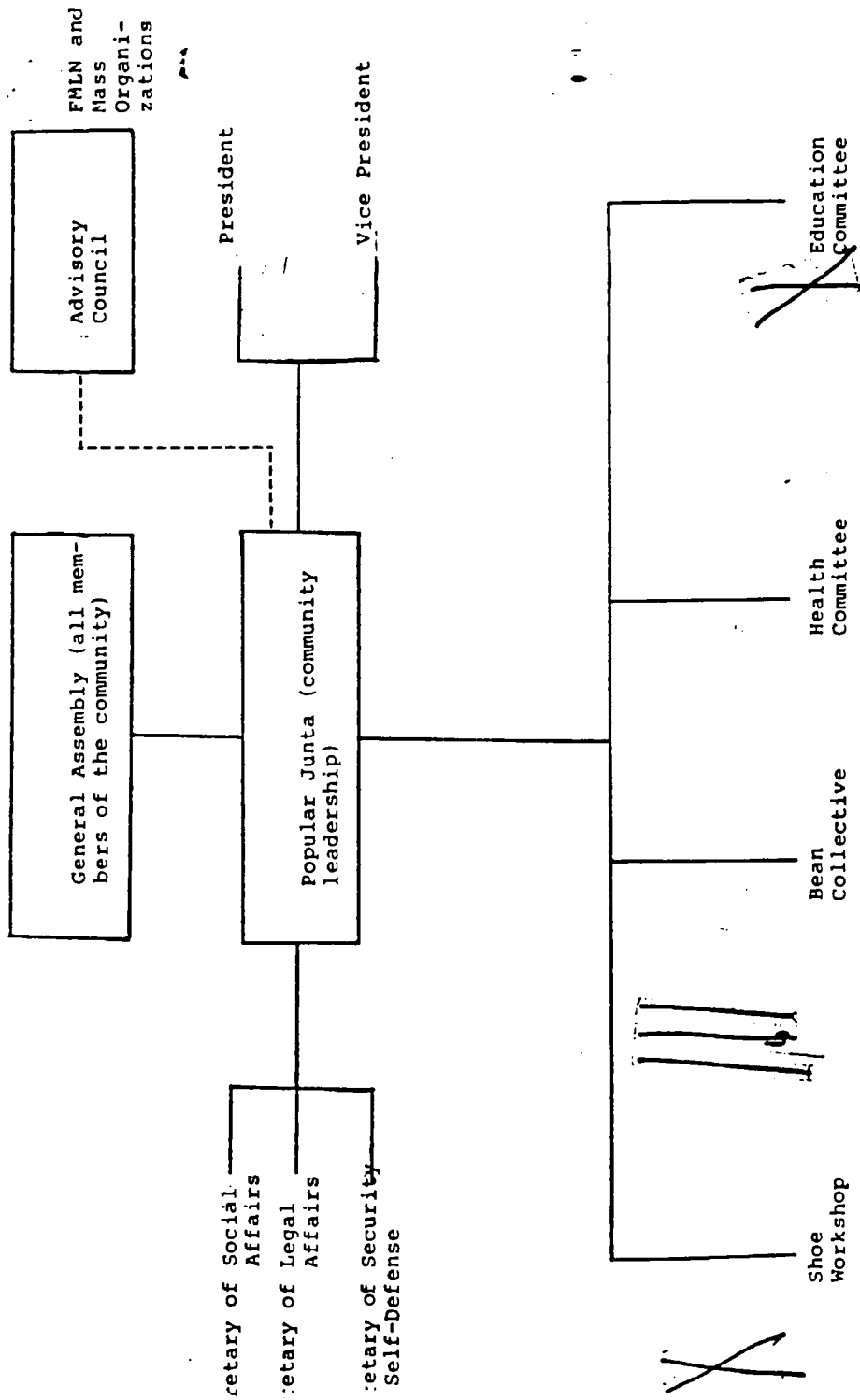
VIII. Follow-up and Control

Our government junta will respond to the donor regarding the use of funds and the development of the projects. With the execution of these projects the Production and Economy and Social Affairs Committees will be assisted in beginning the projects through their respective production and health collectives.

We seek your urgent approval of the solicited funds, which totals \$44,964, to meet the needs of the population satisfactory. We thank you in anticipation of your assistance and solidarity to strengthen the case of the Salvadorean people.

PPL of Tequeque, Los Albertos and  
Los Dubon

Local Popular Government Structure



# New El Salvador Today

A Committee of San Francisco CISPES

Vol. 1, No. 1

(415) 861-0475

## CANVASS TO SAVE ~~PEOPLE~~ LIVES IN EL SALVADOR

### Door to Door Campaign to Raise Funds for Health and Agricultural Supplies



#### Harry Britt Urges Your Support

Dear Friend,

I am writing to urge your support of the fundraising efforts of San Francisco CISPES/NEST, which is providing medical and agricultural supplies to the people of Teague, El Salvador and their neighbors.

These communities face the daily threat of bombings and invasion, engineered and paid for by the United States government. Still, these people are working bravely to build democratically run local governments while the Salvadoran military has lost control.

The government of El Salvador is unwilling to provide medical care to all but the very few who support its policies and practices in a war against its own people. Food assistance for the many malnourished people in El Salvador is not provided by the government. In fact, the policies of the government perpetuate malnutrition and starvation.

The people of El Salvador are in urgent need of help. In the face of such incredible human need, the Reagan administration is spending hundreds of millions of dollars for more military aid to El Salvador. This money is directly supporting a military that former U.S. Ambassador

Robert White has called "one of the most out-of-control, violent, bloody-minded groups of men in the world."

In November of 1983, the people of San Francisco voted to oppose United States intervention in the town of Teague. Now we have the opportunity to provide desperately needed humanitarian aid to the people of El Salvador with our contributions for medical supplies and food to CISPES/NEST.

NEST's efforts have already saved the lives of hundreds of innocent women, men, and children by providing essential items like antibiotics, milk, vitamins, and tools to those attempting to resist the brutal violence in El Salvador. I urge you to support SF CISPES/NEST in their request for contributions. By helping them in their efforts, you will be making an invaluable contribution to the empowerment of human conditions in our world.

Sincerely,  
*Harry Britt*  
Harry Britt

#### The Teague Project

San Francisco CISPES (Committee in Solidarity with the People of El Salvador) has pledged to Teague, El Salvador to help build their town and neighboring areas by raising funds for health and agricultural supplies.

On May 20th our goal is to raise funds towards the \$15,000 goal of the "Teague Project" and also to educate hundreds of people about the current situation in Central America.

You can show your support on May 20th by joining us in the first door-to-door canvass for the Teague project or by a contribution that will buy desperately needed seeds, fertilizers, farm equipment, and medicines:

- \$4 will buy one tube of fungicide to fight skin diseases.
- \$10 will buy one bottle of diarrhea medicine.

#### Inside:

- El Salvador elections used to step up military aid
- Thousands tortured and killed in El Salvador during Duarte's last presidency
- 34,000 U.S. military troops were involved in military exercises in or near Central America.
- U.S. rejects FMLN peace proposal
- Refugees forced to relocate for military exercises

- \$15 will buy enough seed to plant 1/3 of an acre.
- \$20 will buy 75 syringes.
- \$25 will buy 1 qg of bean seeds.
- \$50 will buy 3000 iron tablets
- \$100 will buy 30 machines
- \$165 will buy 1 plough.

MAKE CHECKS PAYABLE TO: NEST c/o CISPES, 3410 19th St. SF 94110



## VOLUNTEERS NEEDED:

SUNDAY, MAY 20th: Training & Speakers: 1:30-2:30pm Canvass: 3:00-7:00  
MEET AT HOLY REDEEMER SCHOOL, 1117 Diamond Street at 18th, SF

For more information



DC CISPES Material Aid CampaignTentative Income Breakdown

## July - August:

|                                    |                |
|------------------------------------|----------------|
| Social/Cultural Event (early Aug.) | \$ 600         |
| 5 House Meetings                   | \$ 1000        |
| 1 House Party                      | \$ 500         |
| Street work (tabling & canvassing) | \$ 500         |
|                                    | <u>\$ 2600</u> |

## September:

|                                       |                |
|---------------------------------------|----------------|
| Reception and Mass Event with PPL rep | \$ 4000        |
| 2 House meetings                      | \$ 400         |
| Street work                           | \$ 200         |
|                                       | <u>\$ 4600</u> |

## October:

|                  |             |
|------------------|-------------|
| Street work      | \$ 200      |
| Mass Mailing     | \$ 1500     |
| Yard Sale        | \$ 1000     |
| 3 House Meetings | \$ 600      |
| 1 House Party    | \$ 500      |
|                  | <u>3900</u> |

## November:

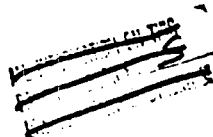
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| Concert          | \$ 3000        |
| 2 House meetings | \$ 400         |
|                  | <u>\$ 3400</u> |

## December:

|                  |             |
|------------------|-------------|
| Benefit          | \$ 1500     |
| 3 House meetings | \$ 600      |
|                  | <u>2100</u> |

Total July - December

\$16600



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PAGE 2

CONTINUATION SHEET

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COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES) (u)

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**CONTINUATION SHEET**

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FOR THE INFORMATION OF RECIPIENTS. [REDACTED]

THE  
FOLLOWING IS TO REITERATE [REDACTED]  
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INSTRUCTIONS FOR THESE INVESTIGATIONS. 8/11

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BASED ON THE ABOVE, THERE IS SUFFICIENT GROUNDS FOR THIS  
INVESTIGATION. IT MUST BE NOTED, HOWEVER, THAT MANY OF THE  
PEOPLE AND GROUPS INVOLVED WITH CISPES DO SO FOR POLITICAL,  
EMOTIONAL, OR SOCIOLOGICAL REASONS AND ARE NOT AWARE OF OR  
INVOLVED IN THE CISPES COVERT ACTIVITIES ENUMERATED ABOVE.

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FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

5

CONTINUATION SHEET

PAGE FIVE DE HQ 0131 ~~SECRET~~

THEREFORE, IT IS IMPERATIVE THAT THESE INVESTIGATIONS ARE  
CLOSELY SUPERVISED AND MONITORED TO ENSURE OUR INVESTIGATIONS  
DO NOT INFRINGE UPON THE RIGHTS OF THESE INDIVIDUALS OR GROUPS  
PROTECTED BY THE CONSTITUTION. (S)

SOME OFFICES HAVE REPORTED INFORMATION RECENTLY REGARDING  
POLITICAL STATEMENTS AND POLITICAL LOBBYING BY CISPES OR CISPES  
AFFILIATES. SUPERVISORS IN RECIPIENT OFFICES MUST CAREFULLY  
MONITOR THIS AND RELATED INVESTIGATIONS AND ASSET OPERATIONS  
WITHIN YOUR RESPECTIVE DIVISIONS TO ENSURE APPROPRIATE  
DIRECTION, TARGETING, AND REPORTING. (S)

(S)

(S)

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XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b1 with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
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Pages(s) withheld for the following reason(s):

\_\_\_\_\_

\_\_\_\_\_

☐ For your information: \_\_\_\_\_

\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

HQ 199-8848-421 r. 1-3-2

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 X NO DUPLICATION FEE X  
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7 11  
10/17/84

MI

~~SECRET~~

ROUTINE

~~SECRET~~

FM DIRECTOR FBI  
TO FBI ALBUQUERQUE ROUTINE  
FBI BALTIMORE ROUTINE  
FBI BIRMINGHAM ROUTINE  
FBI BOSTON ROUTINE  
FBI CHARLOTTE ROUTINE  
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FBI JACKSONVILLE ROUTINE  
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FBI LOS ANGELES ROUTINE  
FBI LOUISVILLE ROUTINE  
FBI MIAMI ROUTINE

(u)

ALL INFORMATION ON THIS  
PAGE IS UNCLASSIFIED  
DATE 10/17/84 BY 1043 JRM  
EXCEPT WHERE SHOWN OTHERWISE

DO NOT TYPE MESSAGE BELOW THIS LINE

b2

|             |               |          |      |           |
|-------------|---------------|----------|------|-----------|
| APPROVED BY | CLASSIFIED BY | DATE     | ROOM | TELE EXT. |
|             | LP            | 10/17/84 | 4253 |           |

b7c

(u)

~~SECRET~~

b7c

0934 JRM

10/17/84

DO NOT FILE WITHOUT COMMUNICATIONS STAMP

FBI



PAGE TWO DE HQ 0184

FBI MILWAUKEE ROUTINE  
 FBI MINNEAPOLIS ROUTINE  
 FBI MOBILE ROUTINE  
 FBI NEW HAVEN ROUTINE  
 FBI NEW ORLEANS ROUTINE  
 FBI NEW YORK ROUTINE  
 FBI NORFOLK ROUTINE  
 FBI OKLAHOMA CITY ROUTINE  
 FBI PITTSBURGH ROUTINE  
 FBI PORTLAND ROUTINE  
 FBI SAN ANTONIO ROUTINE  
 FBI SAN DIEGO ROUTINE  
 FBI SAN JUAN ROUTINE  
 FBI TAMPA ROUTINE  
 FBI WASHINGTON FIELD ROUTINE

BT (u)

~~SECRET~~ SECTION TWO OF TWO (u)

COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR (CISPES) (u)  
 INTERNATIONAL TERRORISM - EL SALVADOR

b1

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~~SECRET~~

XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
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- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

\_\_\_\_\_ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

\_\_\_\_\_ Page(s) withheld for the following reason(s):

☐ For your information: \_\_\_\_\_

- ☒ The following number is to be used for reference regarding these pages:

HQ 199-8848-543 pages 9-10

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 NO DUPLICATION FEE  
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DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

11

COMMUNICATION MESSAGE FORM

PAGE FIVE DE HQ 018

b1

RECIPIENTS CONTINUE THIS INVESTIGATION UNDER THE PARA-  
METERS SET FORTH ABOVE. (u)

~~AND E BY G-31 DECL. QADR~~ (u)

BT (u)

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FD-36 (Rev. 5-22-64)

FBI

## TRANSMIT VIA:

☐ Teletype  
☐ ~~SECRET~~ MATERIAL ATTACHED  
☒ AIRTEL

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS  
 Date 3/4/85

~~SECRET~~

TO: DIRECTOR, FBI (199C-8848) ~~SECRET~~  
 ATTN: SUPV. [REDACTED] b7C  
 FROM: SAC, ATLANTA (199C-359) (199C-517) (P) (SQ 3)  
 SUBJECT: COMMITTEE IN SOLIDARITY WITH THE  
 PEOPLE OF EL SALVADOR (CISPES) (P) (+)  
 IT-EL SALVADOR;  
 OO: DL (P)

The entire contents of this communication are  
 classified "~~SECRET~~" (P)

Re Atlanta teletype to Director, 2/25/85. (P) (S) 6/2

Enclosed for the Bureau are the original and  
 four copies of an LHM titled as above. Enclosed for  
 each receiving office are two copies of the LHM.

No specific leads are being set forth for receiving  
 offices. Atlanta has no specific information that any of the  
 vehicles whose license plates are shown on the enclosed  
 LHM were occupied by conference participants.

ENCLOSURE

- 1 - Bureau (199C-8848) (Enc. 5) 10/53  
 2 - Charlotte (Enc. 2)  
 2 - Cincinnati (Enc. 2)  
 2 - Columbia (Enc. 2)  
 2 - Dallas (199C-795) (Enc. 2)  
 2 - Jacksonville (Enc. 2)  
 2 - Mobile (Enc. 2)  
 2 - New Orleans (199C-382) (Enc. 2)  
 4 - Atlanta  
 (2 - 199C-359)  
 (2 - 199C-517)  
 1 - [REDACTED]

DECLASSIFIED BY [REDACTED]  
 ON 10/20/87  
 SECRET MATERIAL ATTACHED

~~SECRET~~

Classified by: C-2  
 Declassify on: OADR

MAR 11 1985

Approved: [REDACTED]

Transmitted: [REDACTED]

(Number)

(Time)

Per: [REDACTED]

[REDACTED]



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to  
File No.Atlanta, Georgia  
March 4, 1985 (u)~~SECRET~~[COMMITTEE IN SOLIDARITY WITH THE  
PEOPLE OF EL SALVADOR (CISPES)] (u)

Markings, notations, and other items of information  
contained in this communication are classified "~~SECRET~~" unless  
otherwise noted. (u)

b1 { [REDACTED] (S)  
[REDACTED] (S)

Investigation at Atlanta, Georgia, on February 22,  
1985, obtained a flyer and a program/registration form for  
the CISPES conference to be held at the Little Five Points  
Community Center, 1083 Austin Avenue, Northeast, Atlanta,  
Georgia, February 23 and 24, 1985. (u)

~~SECRET~~  
Classified by ~~SP-2/BJM~~  
Declassify on: ~~OSD~~

~~SECRET~~  
Classified by ~~SP-2~~  
Declassify on: ~~OSD~~

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE

10/20/85  
Classified by ~~SP-2/BJM~~  
Declassify on: ~~OSD~~

199-8848-111



This document contains neither recommendations nor  
conclusions of the FBI. It is the property of the  
FBI and is loaned to your agency; it and its contents  
are not to be distributed outside your agency.

Encl. 1  
Enclosure



COMMITTEE IN SOLIDARITY WITH THE  
PEOPLE OF EL SALVADOR (CISPES) *lm*

~~SECRET~~

~~SECRET~~

Observation of the Little Five Points Community Center the evening of February 22, 1985, determined there were only about a dozen vehicles in the parking lot, and that a dance program was scheduled at the facility that evening.

On February 23, 1985, the following license plates were observed on vehicles parked at the Little Five Points Community Center:

North Carolina

PAB 337  
SHX 887

Alabama

1C 67349  
1F 88875  
2A 99046  
2C 67498  
1C 22998

Ohio

LGV 374

South Carolina

WNE 263

Tennessee

8C6S31  
737H91

Florida

RPK 495  
AIP 039

~~SECRET~~

~~SECRET~~

COMMITTEE IN SOLIDARITY WITH THE  
PEOPLE OF EL SALVADOR (CISPES) (u)

~~SECRET~~

Louisiana

1N 406

Georgia

BFN 347  
CIK 283  
CZE 395  
JBE 723  
GEW 782  
HGR 871  
GMD 307  
F2X 398  
GCC 843  
APC 522  
HAA 428  
CDN 607  
EMN 553  
AME 639  
HGO 246  
BKW 763  
GDY 608  
RG 1983  
DAJ 490  
ANY 863  
RE 6228  
ATE 755  
DDK 437  
HKE 784  
QB 3396  
EWN 914  
JDS 414

~~SECRET~~

A copy of the flyer and program/registration form are  
attached as part of this communication.

~~SECRET~~



Come to a public meeting

# No More Vietnams in Central America and the Caribbean

**HEAR**

**Miriam Hooker**

Press Secretary, Nicaraguan Embassy  
Nicaraguan Women's Association

**Romeo Posada**

Representative of the Revolutionary  
Democratic Front of El Salvador

**Timothy McDonald**

Southern Christian Leadership Conference

**Anne Braden**

Southern Organizing Committee

Sponsored by: Committee in Solidarity with  
the People of El Salvador



Funeral for Nicaraguan victims of terror campaign being staged by mercenaries trained and financed by United States government.

**LITTLE 5 POINTS COMMUNITY**

**CENTER** 1083 Austin Ave. NE (Austin and  
Euclid, West of Moreland)

**SAT. FEB. 23 9:30a.m.**

\$2.00 Do-

DECLASSIFIED BY SP4EML/KCA  
ON 10/30/97



**CISPES**  
invites you to the first  
**SOUTHEASTERN CONFERENCE**  
to  
**Stop U.S. Intervention**  
**in Central America**



**LITTLE FIVE POINTS COMMUNITY CENTER**

1083 Austin Avenue, N.E.

ATLANTA, GEORGIA

February 23-24, 1985

**FOOD, HOUSING, CHILDCARE**

- (1) Two breakfasts as well as lunch on Saturday will be provided. For dinner you are on your own.
- (2) For those who need a place to sleep on Friday or Saturday, come to the Community Center Friday evening and you will find assistance in locating a friendly home. Please bring your own sleeping bag and towel.
- (3) Those who need childcare please register by mail by February 15 to assist us in providing proper care.

**REGISTRATION**

The registration fee for the weekend is \$15.00 per person. This fee will help cover expenses. We encourage early registration by mail to aid in planning. Otherwise register at the Little Five Points Community Center Friday 5-11 pm or Saturday 8-9:30 am. Make checks payable to CISPES.

**DIRECTIONS**

To find Little Five Points Community Center: When entering Atlanta, get on I-20; exit at Moreland Ave. (Hwy. 23) east of downtown. Go north on Moreland to Euclid (1st traffic light after railroad underpass). Turn left onto Euclid, and the first left will be Austin. The Center is at the corner of Euclid and Austin.

**ATLANTA RESIDENTS**

If you can provide housing to conference participants, call CALC at 377-6516.

**CISPES CONFERENCE ON CENTRAL AMERICA  
REGISTRATION FORM**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Zip \_\_\_\_\_  
Phone \_\_\_\_\_ H \_\_\_\_\_ W \_\_\_\_\_  
YES Chapter / Other Organization \_\_\_\_\_

☐ I will need childcare for \_\_\_\_\_ children ages \_\_\_\_\_  
☐ I will need assistance with housing for \_\_\_\_\_ people.

**WORKSHOPS (Choice of Two)**  
☐ Overcoming Racism  
☐ State Harassment  
☐ Deadly Connections  
☐ Recruiting New Members  
☐ Military in the South  
☐ Central American Refugees  
☐ Civil Disobedience

\$ amount enclosed: \_\_\_\_\_

Send checks to: CISPES  
Committee in Solidarity with the  
People of El Salvador  
P.O. Box 56262  
New Orleans, Louisiana 70156

For more information, call  
CISPES, (504) 523-5775

SATURDAY, FEBRUARY 23

8:00 Registration / Breakfast

9:30 Keynote Speakers-Call to Order  
-Lavaun Iahes (CISPEs)-Welcome to Atlanta, Sister City  
to Bluefields, Nicaragua  
Rev. Tim McDonald (SCLC)-Looking Backward, Looking Forward.  
"A History of Progressive  
Movements in the South."  
Anne Braden (SOC)

-El Salvador

-Roose Posa (PDR Delegate)

-Nicaragua  
Miriam Hooker (Press Secretary,  
Nicaraguan Embassy; U.S. Representative,  
Nicaraguan Women's  
Association)-Guatemala  
Representative to be announced

12:00 Lunch

1:00 Small Group Discussions.

"How can we in the South help to  
end U.S. intervention in Central  
America?"

3:30 Break

4:00 Plenary / Conclusions

6:30 Dinner (You are on your own)

8:00 Music

Central America is facing a critical period of U.S. military escalation. Daily aerial bombings are killing Salvadorans. The bombs and planes come from the U.S. and the Salvadoran air force was trained at Ft. Rucker, Alabama. Nicaragua is enduring bombardment and economic strangulation from CIA-backed 'contras' who campaign and recruit in Louisiana, Alabama, Mississippi and Florida. Military aid to Guatemala has been resumed after seven years; and the Guatemalan workers continue to struggle for job security and the right to organize, in particular with Coca-Cola whose international headquarters are found here in Atlanta.

Now there is a threat of a massive invasion by the United States. We have the responsibility to stop it. The contribution from the South to this effort for peace and justice is unique. The military, through its bases and recruitment, has become one of the largest industries in the South, and it is from these bases that it is being waged against the people of Central America. We must also stand with reactionary forces such as the Klan and the contras. Yet, we have the rich and historically profound civil rights movement to which we can turn as an example of struggle for justice.

Our task is to come together, to strengthen ourselves, to learn from each other, and to make decisions. We must advance against four more years of militaristic and inhumane policy.

SUNDAY, FEBRUARY 24

8:00 Breakfast

8:30 Interfaith Worship Service for  
Peace and Justice in Central  
America. Led by Atlanta Clergy  
and Laity Concerned.

9:30 Workshops (Choice of two)

-Black and White Together...  
What Happened? Recognizing racism  
and overcoming it for more effective  
organizing in the South.-Jim Dunn, Ron Chiason, People's  
Institute for Survival and Beyond  
-State Harassment of the Anti-  
Intervention Movement Strategies  
to protect your work and members.-Kathy Wilde (and others), Atlanta  
National Lawyers Guild-Deadly Connections Perspectives  
on Linking Disarmament and anti-  
intervention issues.-Bruce Gagnon, Florida Coalition  
for Peace and Justice-You can do Some of the Work Some  
of the Time... Recruiting new  
members and keeping them involved-Maryann Buckley, National CISPEs  
-The Role of the Military in the  
South vis-a-vis Central America-Shafiah M'Balla, AFSC, Southern  
Regional Disarmament Program-Central American Refugees in the  
South: How can we help?

-Ed Weir, Jubilee Partners

-Civil Disobedience Two perspectives:  
The role of C.D. in civil  
rights and disarmament movements.

What can we learn?

1:30 A Finale

2:30 Go Home and Stop the War!

FD-36 (Rev. 5-22-82)

FBI

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ AIRTEL

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date 4/24/85

TO: SAC, DALLAS (199C-795)  
 FROM: SAC, BOSTON (199C-950) (C)  
 TITLE: COMMITTEE IN SOLIDARITY  
 WITH THE PEOPLE OF  
 EL SALVADOR (CISPES)  
 IT-EL SALVADOR  
 (OO: DL)

b7C

This communication is classified "~~SECRET~~" in its entirety.

Re BS airtel to FBIHQ, 2/22/84.

Enclosed for Dallas are two (2) copies of an LHM, captioned

b7C

A review of captioned matter indicated that the enclosed LHM had not been disseminated to Dallas, office of origin in the CISPES matter.

b7C

For information of Dallas [redacted] has never been observed, contacted or confronted by Boston.

Additionally, Dallas should be made aware that the New Institute of Central America, an organization located 1151 Massachusetts Ave., Cambridge, Mass. was broken into during the period of 4/20-21/85. This address houses most of the CISPES related organizations in the Boston area. Allegedly, these offices were burglarized in Nov. and Dec., 1984 and a spokesperson for the group stated, "We don't know who did it, but it fits the pattern of attempting to silence opponents of U.S. policy".

② - Dallas (199C-795)  
 2 - Boston (1-199C-815)  
 (1-199C-950)

b7C

jcf  
 (4)

Classified by 199-795-883  
 Declassify on OADR

Approved: \_\_\_\_\_ Transmitted \_\_\_\_\_ Per \_\_\_\_\_  
 (Number) (Time)

DECLASSIFIED BY SP4ELW/KFA  
 ON 11/21/88



FD-36 (Rev. 5-22-64)

FBI

## TRANSMIT VIA:

- ☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

- ☐ Immediate  
☐ Priority  
☒ Routine

## CLASSIFICATION:

- ☐ TOP SECRET  
☒ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date 6/4/85

~~SECRET~~

TO: DIRECTOR, FBI

FROM: [REDACTED] HOUSTON (S) b1

COMMITTEE IN SOLIDARITY WITH  
 THE PEOPLE OF EL SALVADOR (CISPES)  
 IT - EL SALVADOR  
 (OO: DALLAS)

~~"SECRET"~~

This entire communication is classified "SECRET".

Enclosed for Dallas, New Orleans, and San Antonio, are one hundred four (104) photographs each of a march conducted in Houston, Texas on April 20, 1985 by the Texas April Mobilization for Peace, Justice, and Jobs.

For information of receiving offices, on April 20, 1985, the Texas April Mobilization for Peace, Justice, and Jobs staged a demonstration and rally in downtown Houston, Texas. A surveillance

~~"SECRET"~~

~~CLASSIFIED BY 8848~~  
~~DECLASSIFY ON: OADR~~

- (2) - Bureau  
 2 - Dallas (Encs. 104)  
 2 - San Antonio (Encs. 104)  
 2 - Albuquerque  
 2 - New Orleans (Encs. 104)  
 2 - Phoenix  
 4 - Houston (S) b1

NOT RECORDED  
 31 JUL 11 1985

REVIEWED FOR IT

(2 - 199C-771A)

(14) [REDACTED]

Approved: [REDACTED]

Transmitted

(Number)

(Time)

Per

~~SECRET~~

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 11/17/87 BY SP4 GAW/STP

NO [REDACTED] (S) b1

~~"SECRET"~~

of the demonstration determined there were approximately four hundred (400) participants in the demonstration. Because of torrential rains, the demonstration and march were short-lived.

Information received from reliable assets at the Houston Office determined there were individuals participating in the above-described demonstration who were from the San Antonio and Austin, Texas areas, as well as New Orleans, Louisiana, and Dallas, Texas.

b1 [REDACTED]

b1 [REDACTED] (S)

The following is a list of some of the licenses noted during this surveillance:

| <u>LICENSE</u> | <u>OWNER</u>   | <u>COMMENTS</u>  |
|----------------|--|--|
| 358GPM         | HERTZ CORPORATION<br>383731-73737 Airport Blvd.<br>Austin, Texas | A van parked at the site of the demonstration into which a number of marchers and participants entered and exited.   |
| XZU191         | [REDACTED]   | This vehicle is a reddish brown Toyota which was observed following the marchers and parking at the site of the subsequent rally. The license frame stated that the car was purchased in San Antonio and was being driven by a white female. |

b7C  
b7D~~"SECRET"~~

NO [REDACTED] (S) b1

~~"SECRET"~~

| <u>LICENSE</u>        | <u>OWNER</u> | <u>COMMENTS</u>                                       |
|-----------------------|--------------|---|
| KAB934                | [REDACTED]   | None  |
| 62N389<br>(Louisiana) | [REDACTED]   | The vehicle is a yellow Dodge Colt which was observed |
| GYT517                | [REDACTED]   | [REDACTED]  |
| IN406<br>(Louisiana)  | [REDACTED]   | [REDACTED]  |
| 7984FNA               | [REDACTED]   | None  |

b7c  
b7D

b1

REQUEST OF RECEIVING OFFICES

Receiving offices are requested to check office indices on the above-named individuals whose vehicles were observed in the above-described demonstration. Any further action taken concerning these individuals is being left to the respective offices.

Dallas, New Orleans, and San Antonio are requested to advise Houston if any of the individuals depicted in the enclosed photographs are identified.

~~"SECRET"~~

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11/11/01 BY 1043

(Rev. 8-22-70)

DOCUMENT #

FBI

## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ AIRTEL

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

~~SECRET~~

Date 3/6/84

TO: DIRECTOR, FBI  
 (ATTN: CRIMINAL INVESTIGATIVE DIVISION, [REDACTED] S b1  
 FROM: SAC, PITTSBURGH [REDACTED] S b1  
 SUBJECT: SALVADORAN LEFTIST ACTIVITIES  
 IN THE UNITED STATES  
 [REDACTED] S b1  
 BUDED: 3/9/84

~~ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED EXCEPT  
 WHERE SHOWN OTHERWISE~~

3-8-84, SUGG SLD-JAA  
 Classified by [REDACTED]  
 Declassify on: [REDACTED] AS [REDACTED]  
 85-1795

This communication is classified "~~Secret~~" in its entirety.

Re Bureau teletype to Pittsburgh, dated 2/16/84, captioned as above.

Pittsburgh has identified a chapter of the Committee In Solidarity With the People of El Salvador (CISPIS) that is active in its division. This chapter calls itself the Central American Mobilization Coalition (CAMC).

MEMBERSHIP

The membership of the CAMC may be divided into two groups, the "core" membership that consists of those members

~~SECRET~~  
 Classified By G-3  
 Declassify On: OADR

3-Bureau  
 2-Boston (For Info.)  
 2-Los Angeles (For Info.)  
 4-Pittsburgh  
 (2- [REDACTED] - 06) b1  
 (11) b7c

(S)

|              |         |
|--------------|---------|
| SEARCHED     | INDEXED |
| SERIALIZED   | FILED   |
| MAR 12 1984  |         |
| FBI - BOSTON |         |

b7c

Approved: \_\_\_\_\_ Transmitted \_\_\_\_\_ Per \_\_\_\_\_  
 (Number) (Time)

REQUESTER

~~SECRET~~

PG [REDACTED] 5 b1

SUPPORT GROUPS

According to CAMC literature, on December 3, 1983, Central American Solidarity Committees from throughout New England met in Boston for a regional conference and established the New England Central American Network (NECAN). This was the first attempt to coordinate at the regional level the work of three national networks: CISPIS, the Network in Solidarity with the Guatemalan People (NISGUA), and the National Network in Solidarity With Nicaraguan People (NNSNP).

On December 10, 1983, 150 solidarity activists from the Northwestern region of CISPIS met in Oakland, California. Eighteen chapters took part in this.

Locally, the CAMC receives substantial support from The Thomas Merton Center (TMC), a "store front" type organization. The TMC is located at 1111 E. Carson Street, Pittsburgh, Pennsylvania, 15203, describes itself as a "Ministry for Peace and Justice" and is actively involved in many political issues including nuclear disarmament, "war resistance," and human rights. The TMC appears to act as the headquarters for the CAMC. Also supporting the CAMC is the Militant Book Store, Socialist Workers Party (SWP), Pittsburgh, Pennsylvania, a propaganda outlet for the SWP which occasionally operates as a mailing address for the CAMC. Frequently attending CAMC activities and making financial contributions to the CAMC are members of the Young Socialist Alliance of Pittsburgh (YSAP) and the Young Lawyers Guild (YLG). Pittsburgh notes that the connection between these above-listed groups with the CAMC is as much personal as it is political. Several members of the TMC who are primarily active in other areas, such as nuclear disarmament, have worked closely with CAMC core members in other political causes in the late sixties and early seventies. Many CAMC members are ex-SWP and YSAP members.

*out of  
scope of  
report*

~~SECRET~~



## TRANSMIT VIA:

☐ Teletype  
☐ Facsimile  
☒ Airtel

## PRECEDENCE:

☐ Immediate  
☐ Priority  
☐ Routine

## CLASSIFICATION:

☐ TOP SECRET  
☐ SECRET  
☐ CONFIDENTIAL  
☐ UNCLAS E F T O  
☐ UNCLAS

Date 4/25/86

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED EXCEPT  
 WHERE SHOWN OTHERWISE

TO: DIRECTOR, FBI  
 (ATTENTION: CID/IT-GU, SSA [REDACTED])

FROM: SAC, CHICAGO (199C-1499) (C)

NICARAGUAN TERRORIST MATTERS;  
 IT-NICARAGUA

This communication is classified "SECRET" in  
 its entirety.

Re Chicago teletype to Director, dated February 13,  
 1986.

On April 11, 1986, JOHN D. REIF, Physical Security  
 Specialist, Federal Protective Service (FPS), District 1  
 staff, 536 South Clark Street, Chicago, Illinois, furnished  
 information regarding the individuals who were arrested  
 February 12, 1986, by the FPS for "Creating a Disturbance"  
 and "Conformity With Signs and Direction" in connection  
 with an activity sponsored by the Pledge of Resistance  
 protesting United States involvement in Central America.

Listed below are the individuals who were arrested  
 February 12, 1986.

1. Name: [REDACTED]

2 Bureau  
 1 Chicago  
 (3) eam

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SECRET

Classified by G-3  
 Declassify on OADR

DE-271

DE-87

DE-88

DE-89

12 MAY 13 1986

Approved: [Signature]

Transmitted

(Number)

(Time)

Per

1139 OCT 10 1986

SECRET

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 WHERE SHOWN OTHERWISE

199C-1499

SECRET

7. Name:  
Address:

8. Name:  
Address:

Telephone:  
Race:  
Sex:  
DOB:  
Height:  
Weight:  
SSAN:

9. Name:  
Address:

Telephone:  
Race:  
Sex:  
DOB:  
Height:  
Weight:

10. Name:  
Address:

Race:  
Sex:  
DOB:  
Height:  
Weight:  
SSAN:

11. Name:  
Address:

Race:  
Sex:

12. Name:  
Address:

Telephone:  
Race:  
Sex:  
DOB:  
Height:

Chicago, Illinois, 60657

White  
Female  
September  
5'4"

55# 331-1-1

SECRET

3

SECRET

ALL INFORMATION ON THIS  
PAGE IS CLASSIFIED (S)  
EXCEPT WHERE SHOWN OTHERWISE

b7C  
per  
GSA  
+  
FBI

C

O

CG 199C-1499

S E C R E T

REIF, FPS, advised that on the morning of April 14, 1986, the Pledge of Resistance held a demonstration in the Federal Plaza, Chicago, Illinois, which was attended by about 250-300 people. KROK advised that approximately 75-100 people entered the Post Office adjacent to the Plaza and about half of that group spread themselves on the floor. Another group stayed outside the building and pounded on the glass windows. KROK advised the Post Office was unable to conduct business and access to the building was controlled for 30-45 minutes. The CHICAGO POLICE DEPARTMENT assisted in removing the people from the Post Office. KROK advised the event appeared to be well orchestrated. He advised there was no violence and no arrests were made.

~~SECRET~~

The above is for information of the Bureau. Chicago is conducting no investigation in this matter.

~~ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN OTHERWISE~~

~~SECRET~~

CG 199C-1499

SECRET

Hair:  
Length:  
Eyes:

3. Name:  
Address:

Telephone  
Race:

Sex:  
DOB:  
Height:  
Weight:  
Hair:  
Facial hair:

SECRET

b7C  
per  
GSA +  
FBI

On March 19, 1986, five individuals, including the above three, were issued citations by the FPS for disorderly conduct and preservation of property. The other two individuals are described below:

1. Name:  
Address:

Race:  
Sex:  
DOB:  
Height:  
Weight:  
Hair:

2. Name:  
Address:

Telephone:  
Race:  
Sex:  
Age:

On March 20, 1986, five individuals were cited for posting pamphlets on Federal property those cited were: who was one of the individuals arrested on February 12, 1986.

On April 14, 1986, DONALD J. KROK and JOHN D.

ALL INFORMATION ON THIS  
PAGE IS CLASSIFIED (S)  
UNLESS OTHERWISE INDICATED

SECRET



FORMS.TEXT HAS 1 DOCUMENT

INBOX.20 (#9050)

TEXT:

SA0003 3432105Z

RR HQ JK NH NY WFO

DE SA

092105Z DEC 86

FM SAN ANTONIO (100A-NEW) (RUC)

TO DIRECTOR, FBI ROUTINE

JACKSONVILLE ROUTINE

NEW HAVEN ROUTINE

NEW YORK ROUTINE

WFO ROUTINE

BT

~~SECRET~~

PLEDGE OF RESISTANCE; DS/T; (DO) NEW YORK.

CONFIDENTIAL

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EXCEPT WHERE SHOWN  
OTHERWISE

Classified by *9/14/87 sp6bj/hcy*  
Declassify on: OADR

THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS ENTIRETY.

[REDACTED] (c) 7d 217  
[REDACTED] b1, b7D (RUC)  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] 100-487001- (c)  
[REDACTED] FEB 2 1987  
[REDACTED] (c)  
[REDACTED] b1, b7D

4259  
0-73 1st 20  
b2  
[REDACTED] b7C  
108 SEP 2  
12-10-86  
INTERNAL ROUTING: [REDACTED] CONFIDENTIAL

~~CONFIDENTIAL~~PAGE TWO SA 100A-NEW ~~SECRET~~~~CONFIDENTIAL~~  
[REDACTED]

[REDACTED]

[REDACTED] (c) b1 b7D

[REDACTED]

[REDACTED]

[REDACTED] (c) b1 b7D

[REDACTED]

[REDACTED]

[REDACTED] (c) b1 b7D

[REDACTED]

[REDACTED] ARE REQUESTED TO b7D

APPRISE APPROPRIATE AUTHORITIES RE ABOVE INFORMATION.

SAN ANTONIO WILL ADVISE BUREAU AND RECEIVING OFFICES IF FURTHER  
PERTINENT INFORMATION IS OBTAINED.

~~C BY G-3, D: OADR~~

BT

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

FEDERAL BUREAU  
OF INVESTIGATION

ALL INFORMATION CONTAINED  
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OTHERWISE

9/15/87  
Classified by SP6 bja/ty  
Declassify on: OADR

BSW

b1 b7D

(c)

67c

1-4 SEP 9

1937

- 62

 $0.73 +$ 

12-11-86

~~CONFIDENTIAL~~

## DEPARTMENT OF JUSTICE

FBI

XX AIRTEL

DATE: 2/17/87

TO: DIRECTOR, FBI  
 FROM: SAC, NEW HAVEN (100A-22483) (RUC)  
 SUBJECT: PLEDGE OF RESISTANCE  
 DS/T  
 OO: NEW YORK

DECLASSIFIED BY SP-6 byaffey  
 ON 9/16/89

~~This communication is classified "Secret" in its~~

~~activity.~~

RE: San Antonio teletype to Bureau and New Haven,  
 12/9/86.

[REDACTED]

[REDACTED]

b7CD

2 - BUREAU  
 2 - NEW YORK  
 1 - NEW HAVEN (100A-22483)  
 ef  
 (3)

100-487661-37

Classified by C-3  
 Declassify on OADR

~~SECRET~~

4 FEB 24 1987

b7c

100-4259  
 SEP 2 1987



~~CONFIDENTIAL~~~~CONFIDENTIAL~~PAGE TWO SA 100A-NEW ~~SECRET~~

[REDACTED]  
[REDACTED]  
[REDACTED] (c) b1  
[REDACTED]  
[REDACTED]  
[REDACTED] (c) b1  
[REDACTED]  
[REDACTED]  
[REDACTED] (c) b1  
[REDACTED]  
[REDACTED]

[REDACTED] ARE REQUESTED TO b7D  
APPRISE APPROPRIATE AUTHORITIES RE ABOVE INFORMATION.

SAN ANTONIO WILL ADVISE BUREAU AND RECEIVING OFFICES IF FURTHER  
PERTINENT INFORMATION IS OBTAINED.

~~SECRET~~

BT

~~CONFIDENTIAL~~

31-82)

MESSAGE RELAY VIA TELETYPE  
(RESTRICTED USE)~~CONFIDENTIAL~~Date: 12-10-86 PRECEDENCE: ☐ IMMEDIATE ☐ PRIORITY ☒ ROUTINE

FM: DIRECTOR, FBI

TO:

~~FEDERAL GOVERNMENT~~ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE

- ☐ White House/WH/
- ☐ Bureau of Alcohol Tobacco Firearms/BATF/
- ☒ Central Intelligence Agency/CI/
- ☐ CIA DCD/DCD/
- ☐ Dept. of Energy HQS/DOEHQ/
- ☐ Dept. of Energy Germantown DIV/DOE/
- ☒ Dept. of Justice/DOJ/
- ☒ Dept. of State/DOS/
- ☒ Dept. of the Army/DA/
- ☐ Dept. of Treasury/DOT/
- ☐ Defense Intelligence Agency/DIA/
- ☐ Director National Security Agency/NSA/
- ☒ Director Naval Investigative Service/DIRNAVINSERV/
- ☐ Drug Enforcement Admin./DEA/
- ☐ FAA Washington HQ/FAA/
- ☒ HQ AFOSI Bolling AFBDC/AFOSI/
- ☒ INSCOM Ft. Meade/INSCOM/
- ☐ Nuclear Regulatory Commission/NRC/
- ☐ U.S. Customs Service/UCS/
- ☐ U.S. Immigration & Naturalization Service/INS/
- ☒ U.S. Secret Service/USSS/
- ☒ Other: U.S. MARSHAL SERVICE

BT

Classified by 971687 96bj/hay  
Declassify on: OADRClassification: SECRET

Addressee Internal Distribution

For: [REDACTED]Subject: [REDACTED]

DE285

6 FEB 2 1987

☒ See Attached

|                                |                               |                       |                         |
|--------------------------------|-------------------------------|-----------------------|-------------------------|
| Approved By: <u>[REDACTED]</u> | Originator: <u>[REDACTED]</u> | Tele Ext. <u>4650</u> | Room/Div. <u>4259-6</u> |
|--------------------------------|-------------------------------|-----------------------|-------------------------|

117 AUG 10 1987

~~CONFIDENTIAL~~

DO NOT FILE WITHOUT COMMUNICATIONS STAMP

108 SEP 2 1987

FBI/DOJ